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Protracted conflicts in the GUAM area and their implications for international peace, security and development

Security Council
Sixty-fourth year

Identical letters dated 3 March 2009 from the Permanent Representative of Georgia to the United Nations addressed to the Secretary-General and the President of the Security Council

I have the honour to transmit the statement issued by the Ministry of Foreign Affairs of Georgia on 27 February 2009 (see annex).

I would be grateful if the present letter and its annex could be circulated as a document of the sixty-third session of the General Assembly, under agenda item 13, "Protracted conflicts in the GUAM area and their implications for international peace, security and development", and of the Security Council.

(*Signed*) Alexander **Lomaia**
Permanent Representative

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Annex to the identical letters dated 3 March 2009 from the Permanent Representative of Georgia to the United Nations addressed to the Secretary-General and the President of the Security Council

Statement of the Ministry of Foreign Affairs of Georgia

About 50 families expelled from the village of Otobaia

On 25 February 2009, in the village of Otobaia, Gali district, a local resident, I. Bigvava, was brutally beaten and wounded by gunfire after he refused to enrol in the so-called Abkhazian army. On 26 February, as a follow-up measure designed to intimidate the local population, armed militias of the Sokhumi proxy regime, acting under the patronage of the Russian troops, expelled about 50 families from the village of Otobaia. These facts indicate once again that the practice of forced conscription of locals in the so-called Abkhazian army and the intimidation and harassment of the population continues to take place in the Gali district. The incident of 26 February provides clear evidence that there is a serious threat of a new wave of ethnic cleansing and of a recurrence of the events of 1998.

In parallel to the aforesaid incidents, on 26 February 2009, the Russian occupation troops deployed an additional 30 armoured vehicles in the village of Nabakevi.

By introducing hardware in the Gali district, the Russian Federation violates paragraph 2 of Security Council resolution 1866 (2009) of 13 February 2009, in which the Council called for respect for a definite regime in the security zones. Moreover, the Russian Federation's aforesaid action is a violation of the six-point agreement of 12 August 2008.

It was with the very goal of avoiding such incidents that participants of the Geneva talks reached an agreement on the mechanism for incident prevention and response on 17 and 18 February 2009. Acts committed by illegal gangs of the proxy regimes and the Russian occupation troops indicate clearly that the Russian Federation and the proxy regime under its control are far from intending to put in place the mechanisms under the aforementioned document and stabilizing the situation in the region.

The aforementioned incidents make it obvious that the Russian Federation still continues to defy its international commitments.

In this situation, the international community should do all in its power in order to avoid further escalation of the situation, which may once again entail dire consequences.

The Ministry of Foreign Affairs of Georgia expresses its extreme concern and strong protest over this, yet another, provocative incident carried out on Georgia's occupied territory, and reaffirms that responsibility for this culpable action rests exclusively with the Russian Federation.

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Press and Information Department

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Letter dated 3 March 2009 from the Secretary-General addressed to the President of the Security Council

Further to my report on the situation in the Central African Republic dated 26 November (S/2008/733), in which I informed the Security Council of my intention to prepare proposals for an integrated United Nations presence in that country, and the letter from the President of the Council dated 23 December 2008 (S/2008/809), I would like to recommend that the United Nations Peacebuilding Support Office in the Central African Republic be succeeded, initially until 31 December 2009, by a United Nations Integrated Peacebuilding Office, with a revised mandate and structure.

The inclusive political dialogue, held in Bangui from 8 to 20 December 2008, following similar initiatives in the past decade, represented perhaps the most genuinely inclusive attempt to foster national reconciliation in the Central African Republic to date. It resulted in a nationally owned road map for ending decades of armed conflict and political instability. Although the peace agreements concluded by all parties at the dialogue are still fragile, the successful conclusion of the dialogue provides a new opportunity for meaningful steps towards sustainable peacebuilding in a country with multiple vulnerabilities and significant structural challenges.

I have been encouraged by the active involvement of the Peacebuilding Commission in peace efforts in the Central African Republic since the country was placed on the agenda of the Commission in June 2008. I look forward to the finalization of the Strategic Framework for Peacebuilding in the Central African Republic, which focuses on three priorities. These would be: (a) security sector reform and disarmament, demobilization and reintegration; (b) good governance and the rule of law; and (c) establishment of development hubs.

In order to provide adequate support, in a coherent and coordinated manner, for the promising peacebuilding opportunities arising from the dialogue and the involvement of the Peacebuilding Commission, I would like to recommend that the mandate of the proposed integrated office include the following: (a) to assist national and local efforts in implementing the dialogue outcomes, in particular through support for governance reforms and electoral processes; (b) to assist in the successful completion of the disarmament, demobilization and reintegration process and the reform of security sector institutions, and support activities to promote the rule of law; (c) to support efforts to restore State authority in the provinces; (d) to support efforts to enhance national human rights capacity and promote respect for human rights and the rule of law, justice and accountability; (e) to closely

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coordinate with and support the work of the Peacebuilding Commission, as well as the implementation of the Strategic Framework for Peacebuilding and projects supported through the Peacebuilding Fund; and (f) to continue to support the United Nations Mission in the Central African Republic and Chad. This revised mandate would allow the integrated office to provide enhanced support to stakeholders in the Central African Republic, as well as political support for multifaceted United Nations programmes.

The integrated office would be headed by a Special Representative of the Secretary-General at the Assistant Secretary-General level and have the following structure: (a) an office of the Special Representative of the Secretary-General supported by the Deputy Special Representative of the Secretary-General/Resident Coordinator/Humanitarian Coordinator (D-2) and a Chief of Staff (D-1); (b) a strategic planning and coordination unit; (c) a political section; (d) a rule of law and security sector institutions section; (e) a human rights section; (f) a public information section; and (g) an administrative section. The strategic planning and coordination unit would include personnel from the Office of the Special Representative of the Secretary-General, the Peacebuilding Support Office, the Office for the Coordination of Humanitarian Affairs, the United Nations Development Programme and the Development Operations Coordination Office to ensure that the integrated vision of the United Nations is translated into policy as programmes are developed and delivered.

Should the Council decide to extend the mandate of the integrated office in 2010, full financial requirements for the office would be presented to the General Assembly in the 2010 budget proposal, in accordance with the budgetary cycle of special political missions. In the meantime, temporary arrangements will be put in place to make the integrated office operational as soon as possible, within the existing 2009 budget allocation.

I should be grateful if you would bring the present letter to the attention of the members of the Security Council.

(*Signed*) **Ban** Ki-moon

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Report of the Secretary-General on the United Nations Stabilization Mission in Haiti

I. Introduction

1. By its resolution 1840 (2008), the Security Council extended the mandate of the United Nations Stabilization Mission in Haiti (MINUSTAH) until 15 October 2009 and requested me to report on its implementation semi-annually. The present progress report covers major developments between the issuance of my report dated 27 August 2008 (S/2008/586) and 27 February 2009, and progress made in the implementation of the Mission's mandate, as set out in Security Council resolutions 1542 (2004), 1608 (2005), 1702 (2006), 1743 (2007), 1780 (2007) and 1840 (2008).

II. Political developments

2. The reporting period was marked by encouraging indications of a new readiness among the Haitian political leadership to work together, in particular in response to the crisis created by a devastating series of hurricanes and tropical storms and more recently by renewed tensions related to the upcoming senatorial elections.

3. Nearly five months after the vote of censure against the Government of former Prime Minister Jacques-Edouard Alexis, the Senate approved the *Déclaration de politique générale* of Michèle Duvivier Pierre-Louis on 5 September 2008, and she was sworn in as Prime Minister on the same day. The Senate's action occurred against the background of a pressing need for concerted Government action to respond to storms that had hit the country in August and early September, taking an enormous toll on the country's infrastructure and people. This included tropical storm Hanna, which during the night of 1 to 2 September caused massive flooding and damage, especially in the city of Gonaïves (as described further below). The installation of the new Government was welcomed by MINUSTAH and the wider international community, which had sought to foster a collaborative approach required to resolve this long-standing political impasse.

4. The need to respond jointly to the cyclones dominated the agendas of the Government and Parliament in September and October. On 8 and 9 September, the lower and upper houses of Parliament respectively passed a law allowing the President to declare a state of emergency in the wake of natural disasters, and thereby put in place a system of flexible disbursement of national funds to assist

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affected populations. President René Préval drew upon this authority one day later, enabling the Government to disburse $200 million in relief to hurricane victims. The Haitian private sector joined relief efforts by raising funds and in-kind assistance, while the international community also provided substantial assistance, as detailed further below. Subsequently, the Parliament approved a revised 2007/08 budget on 30 September 2008.

5. Following this period of collaboration, relations between the executive and legislative branches deteriorated in November, when parliamentarians expressed dissatisfaction with the new Government and questioned in particular its management of post-disaster funds. On 27 November, five senators belonging to Lespwa, the main political formation represented in the Government, initiated the "interpellation" of the Minister of Economy and Finance, holding him responsible for Haiti's economic problems. Although this summons (which can culminate in a vote of censure) was later postponed sine die, Parliament has continued to hold numerous hearings with the Prime Minister and various cabinet ministers.

6. On 9 December, representatives of the Government and Parliament agreed to a joint legislative agenda for 2009. This was an unprecedented development in recent Haitian history and offered grounds for renewed hope for cooperation. Internal parliamentary elections in January resulted in the election of a new bureau in the Chamber of Deputies, which expressed a commitment to implement the 2009 joint legislative agenda. Progress in its implementation, however, has been modest to date. Also in January, both chambers of Parliament returned to the Government the draft 2008/09 budget, with numerous recommendations for revision. The budget had not been adopted at the time of writing.

7. Within the Senate, the sitting bureau was extended for an additional year without a vote, after none of the new candidates for the presidency of the bureau was able to secure a majority. This leadership contest contributed to tensions within the upper house, whose functioning has otherwise been seriously hampered by the fact that only 18 of its 30 seats have been filled since May 2008. As a result, several attempts to convene a Senate session in January and February 2009 were unsuccessful, since a quorum (16 senators) could not be reached.

8. The organization of elections to fill the 12 vacant Senate seats could help to facilitate the functioning of the upper house. In order to contribute to political stabilization, however, the elections must be perceived as free, fair and inclusive and they must be held in a climate of open and peaceful debate. The registration by the Provisional Electoral Council of 33 political parties for the elections was broadly seen as consonant with such an approach. However, the decision of the Council on 5 February to disqualify from participation 40 of 105 senatorial candidates, including all representatives of the Fanmi Lavalas party, was questioned by national and international actors in view of its potential impact on the credibility of the electoral process.

9. Throughout the period under review, President Préval has repeatedly called for national unity to build peace and foster long-term development. In his New Year's address to the nation, he indicated that the rebuilding of the country's infrastructure and the development of national dialogue were his key priorities for 2009. The President subsequently established four commissions, on constitutional reform, justice reform, competitiveness and information technology, all of which include a variety of representatives from the public and private sectors. While the last three

have been mandated to report within 12 months. The first, on constitutional reform, is expected to submit its recommendations to the President within four months.

10. The President has sought to strengthen collaboration between Haiti and key international partners as a means of helping the country respond to urgent needs. In this connection, he travelled to the Dominican Republic on 24 and 25 January to participate in a meeting on economic issues and undertook a visit to Washington, D.C. from 3 to 6 February. Consideration is ongoing regarding the re-establishment of the Haitian-Dominican Joint Commission, which could facilitate collaboration between the two Governments on issues of mutual interest.

11. Professor Paul Collier, an eminent economist based at Oxford University, visited Haiti from 1 to 5 December at my request in order to help identify measures that could favour the long-term economic recovery of Haiti. He subsequently outlined a number of proposals, focusing in particular on job creation through the revival of export-driven industries, which are intended to contribute to ongoing reflections by national authorities and to complement such existing strategies as the post-disaster needs assessment and the poverty reduction strategy paper. The President and Prime Minister, as well as the private sector, have welcomed the proposals.

12. On 29 December 2008, President Préval, together with Prime Minister Pierre-Louis and members of her Government, issued a decree setting the first and second rounds of the partial senatorial elections for 19 April and 7 June 2009 respectively. The elections have been postponed since the end of 2007. MINUSTAH has continued to provide technical, logistical and security assistance to the Provisional Electoral Council and other Haitian authorities in support of this process.

13. On 28 November 2008, the Provisional Electoral Council launched the registration process for political parties and candidates for the elections. On 6 January, the Council issued a list of 33 political parties authorized to compete in the elections, including Fanmi Lavalas. On 23 January, when the registration of candidates closed, 105 candidates had registered for the elections, with candidates from Lespwa, Union and Fanmi Lavalas running in all 10 departments. A total of 16 candidates for the 12 open seats submitted their candidatures as representatives of Fanmi Lavalas, citing authorization by two separate leadership groups within the party. On 5 February, the Council published a list of 65 validated candidates while invalidating 40 candidates, including all of those presented by the two factions of Fanmi Lavalas, as well as seven of nine candidates that a Haitian human rights non-governmental organization had denounced as lacking the necessary integrity to be considered for office. Following widespread expressions of concern, as noted above, the Council provided for a further one-week period to receive complaints from rejected candidates, after which it published a final list of 78 approved candidates. While this included representatives of 16 political parties and 4 independents, all Fanmi Lavalas candidates remained excluded, on the basis that the party had failed to submit a single consolidated slate of candidates authorized by its formal leader, former president Jean-Bertrand Aristide.

14. In order to comply with new requirements for voter access established by the electoral law of 25 July 2008, the Council, with support from MINUSTAH, identified 630 new voting centres throughout the country that would supplement the 821 existing centres. The security assessment of the new centres, carried out jointly by the Haitian National Police and MINUSTAH, began in December 2008 and was

completed in February. The Council launched a competitive recruitment process to staff its 11 regional and 142 local offices, as required by the electoral law. All staff at the regional level were installed in February, whereas staff at the local level were expected to be installed at the beginning of March. It is planned that electoral security officers will be recruited and trained in March and deployed to all voting centres by mid-April in order to secure electoral material.

15. The update of the voter roll by the Haitian National Identification Office, with the support of the Organization of American States, resulted in the registration of more than 580,000 new voters as at February 2009, bringing the total number of eligible Haitian voters to 4,119,600. National authorities launched the printing and distribution of new voter cards in December.

III. Institutional support and strengthening of the State

16. During the reporting period, MINUSTAH continued its efforts to enhance institutional capacity at the national level, with a particular focus on the Parliament and the Ministry of the Interior and Local Government, while continuing to provide support to local authorities.

17. On 9 and 10 December 2008, representatives of the Government and Parliament, with support from MINUSTAH and donors, participated in a joint workshop that culminated in the adoption of an agreed legislative agenda for 2009, as noted above. The agenda comprises 31 laws and 10 conventions, including measures that can assist in the consolidation of stability, such as legislation intended to curb corruption, and a draft customs code. The successful implementation of this substantial agenda would represent a significant increase in legislative activity in comparison with previous years and would require considerable effort by the Government to prepare draft legislation and by parliamentarians to review and adopt it. To date, however, only four international conventions have been ratified by Parliament, while the Chamber of Deputies has adopted two laws (on drinking water and on minimum wage) as well as anti-kidnapping legislation, which had been adopted by the Senate in 2008.

18. The adoption by the Senate and Chamber of Deputies of enhanced internal rules in November 2008 and February 2009 respectively opens the way for the adoption of a statute on parliamentary staff, together with administrative and financial regulations, that could improve the functioning of the legislature. In an effort to promote transparency, the Parliament's expenses for 2008 were published in January 2009 on the legislature's website and in local newspapers.

19. In view of the key role played by the Ministry of the Interior in mandate-related areas such as border control and local administration, MINUSTAH is working to support the ministry's capacity to undertake its functions, including by training senior staff and providing assistance in the development of workplans, job profiles and a competitive recruitment system. The Mission is also supporting a programme to provide standardized training on public finance, protocol and ethics within all the communes, which is scheduled to be completed by July 2009. Meanwhile, drawing on funding for quick-impact projects, MINUSTAH has launched 49 labour-intensive and income-generating projects within local communities during the reporting period. The projects provided medium- or longer-term employment to approximately 1,000 people engaged in such areas as raising

livestock and cultivating fruits and vegetables, as well as recycling and brick and tile production.

20. While this assistance can help to strengthen Haitian institutional capacity in areas immediately related to the stabilization process, both Government and local administrations continue to suffer from limited capability to provide other vital services to its people, including health care and education, which may also have a critical impact on stability in the long term. During the reporting period, the shortcomings of current regulatory and oversight capacities were suggested by the collapse of a school near Port-au-Prince, which led to the death of more than 100 people, many of them children; protracted disputes over the payment of salaries to teachers; and acrimonious labour actions that paralysed some hospitals in the capital. Meanwhile, there has been little movement in clarifying the legal and practical arrangements for decentralization, which could enhance the ability of local administrations to provide services. Both President Préval and Prime Minister Pierre-Louis have noted the need for a coordinated effort to enhance governance and administrative capacity, which could draw on international support.

21. The Government, with assistance from MINUSTAH as well as international financial institutions and donors, is preparing or updating a number of key policy texts related to border management, including an integrated border management plan, the Haitian customs code and the law on the National Council for Coordination of Integrated Border Management. With bilateral funding, the construction of border facilities in Ouanaminthe and Belladère continued to advance during the reporting period, while the rehabilitation of the border facility at Malpasse is expected to be completed by March 2009. MINUSTAH has supported regional working groups in Malpasse, Ouanaminthe, Gonaïves and Jérémie that bring together various local authorities involved in border management. However, their effectiveness would be greatly improved through a close linkage with the central Government, along the lines of the proposed National Council for Coordination of Integrated Border Management, which would provide an overarching legal structure in which to monitor and coordinate border management and related reforms.

22. Following the upgrading of the customs data system, the intensification of road patrolling and the opening of new checkpoints, there has been a significant increase in the collection of revenue by the customs service, which constitutes one third of the State's fiscal resources. They now stand at a monthly average of 750 million gourdes ($19 million), up by 36 per cent from the average monthly total of 550 million gourdes ($14 million) two years earlier. These encouraging developments took place notwithstanding the fact that the Government had temporarily reduced customs duties on some basic products and expedited clearance procedures to facilitate the delivery of emergency relief after the storms. An arson attempt on 20 January that damaged some customs-related computers and archives at the port of Port-au-Prince offered a reminder of the potential for opposition to reform efforts.

IV. Security situation

23. During the reporting period, the country remained generally calm, with a decline in some criminal activities, in particular kidnappings, which had previously undermined public confidence. Other types of crime increased, however, and the

situation remains very fragile. Persistent poverty and youth unemployment in urban areas, aggravated by the destruction caused by the hurricanes and storms in 2008, have created an environment that is vulnerable to civil unrest and to renewed gang activity. Instances of civil unrest with violence have been increasing steadily since December 2008. Furthermore, notwithstanding the arrests that have taken place to date, a number of former gang members remain at large and could potentially be activated for political or criminal purposes. Reports of widespread trafficking in drugs and weapons throughout the country continue to be of particular concern. The potential scale and destructive impact of such activity was highlighted by an alleged theft of money linked to drug trafficking that took place in Port-de-Paix in November 2008, which appeared to implicate members of the Haitian police and judiciary. In addition, Haiti faces the significant possibility of politically linked violence in connection with the electoral process.

24. At a time when the Haitian National Police is unable to respond alone to such threats to the country's stability, MINUSTAH troops and police, including its formed police units, continue to play an indispensable role in ensuring a secure and stable environment within which political processes can advance and in helping to promote public order. Over the past six months, the Mission's military component has been adjusted as envisaged in my previous report, with the establishment of a maritime component following the delivery of 16 patrol boats and the incorporation of an additional engineering company through the replacement of a corresponding number of infantry soldiers. A ninth formed police unit has been deployed within the Mission, as originally authorized by Security Council resolution 1780 (2007).

25. During the reporting period, MINUSTAH military and police personnel worked closely with the Haitian National Police to maintain a heightened rhythm of patrolling and operations to deter criminal activities in urban areas and to improve information-sharing, communication and collaboration with the general public. Those efforts paved the way for the dismantling of a number of kidnapping rings in the second half of 2008 and a significant decline in reported kidnappings. There had been a significant rise in the number of kidnappings during the first half of 2008, reaching about 30 cases per month; as at February 2009, the figure had declined to about 7 cases per month, representing a decrease of 75 per cent. Meanwhile, in cooperation with the Haitian National Police, the Mission began maritime patrolling in January, using boats located at Port-Salut, Killick (near Port-au-Prince) and Fort-Liberté. Starting in February, MINUSTAH military and police personnel, working jointly with the Haitian National Police, launched regular joint integrated border patrol operations, drawing on land, air and maritime capabilities. This activity will be supplemented with further patrols from additional bases around the coast once ongoing preparations of the port areas are complete. While these activities can help to promote security, extend State authority, deter trafficking and enhance revenue collection, it is essential that they be complemented through bilateral initiatives and cooperation, particularly from countries in the region.

26. The security situation will be kept under constant review in the coming months, together with the development of Haitian security capabilities, as described below, in order to facilitate the consideration of the optimal configuration for the Mission in conjunction with the expiration of its present mandate on 15 October.

27. MINUSTAH continued to implement its community violence reduction programme and to provide advice and assistance to the National Disarmament,

Dismantlement and Reinsertion Commission, with a particular focus on 12 priority violence-affected areas that were identified jointly with the Haitian authorities.

28. During the reporting period, with support from MINUSTAH, a total of 14 labour-intensive projects were completed by February, which employed 11,688 workers, of whom 3,500 (30 per cent) were women. A nine-month professional training course for 148 former armed individuals, the third in a series, was completed in November. Pilot training projects were launched in the national penitentiary and the Pétion-Ville prison for women, with a view to facilitating the future social reinsertion of 400 male and female detainees. Some 550 unschooled youth at risk who are within the priority areas began a six-month skills training course in February. Together with national and local counterparts, MINUSTAH conducted campaigns advocating non-violence, tolerance and peace in all 12 priority areas and implemented jointly with the Ministry of Education a primary school outreach project promoting a culture of non-violence, which targeted 30,000 children in 60 schools.

29. MINUSTAH and the United Nations Development Programme (UNDP) continued to assist the Ministry of Justice in the ongoing review of legislation on firearms and in upgrading the Haitian National Police weapon registry system. As at 10 February, a total of 3,935 weapon licences had been issued to begin the replacement of the 6,100 less secure versions that had been issued between 2004 and 2006. A further 782 licences had been issued to begin the replacement of registrations issued prior to 2004 for some 25,000 weapons that had expired.

V. Reform of rule-of-law structures

Strengthening the security capacity of Haiti

30. Enhancement of the capacity of the Haitian National Police remains a key prerequisite to enable Haiti to respond to threats to its own stability without external support. Progress was achieved during the reporting period in the professionalization of officers, the enhancement of institutional capacity and the development of key infrastructure, with a combination of technical support from MINUSTAH and bilateral assistance. While those initiatives contributed to an incremental increase in the capacity of the Haitian National Police, significant further efforts are required in order to attain by the end of 2011 the objectives outlined in the police reform plan. The issuance, as expected, of the report of the Presidential Commission on Security could contribute to the definition of an overall security structure for the country that extends beyond a basic policing capability, although the limited availability of resources must be borne in mind.

31. The seven-month basic training programme for the twentieth promotion, comprising 702 cadets (of whom 86 are female), was completed in February, bringing the total number of active Haitian National Police officers to 9,247. Training for the twenty-first promotion, which comprises a further 483 cadets (of whom 104 are female), began on 31 December, and graduation is scheduled for the second half of 2009. The nationwide recruitment process for the twenty-second promotion was launched in September and generated more than 70,000 applications. A further expansion of the training facilities at the Haitian National Police school is now envisaged, with the objective of providing it with additional capacity to conduct higher-level training, in addition to the basic training that it can now

provide for two 700-cadet promotions simultaneously. Following major delays in the recruitment of cadets in 2008 (see S/2008/586, para. 26), it is essential that the Haitian authorities continue to prioritize the recruitment process if the police reform plan targets are to be met within the envisaged time frame.

32. The courses at the Haitian National Police school were supplemented during the reporting period by specialized and field coaching courses, supported by MINUSTAH and bilateral partners, with a view to reinforcing police capacity for intermediate-level management and supervision. The expected deployment of more than 1,000 new officers in 2009 will require an enhancement of such activities. Meanwhile, a training programme for 120 Haitian National Police inspectors began in November 2008, with a planned completion date of May 2009. A number of officers also benefited from advanced training abroad, drawing on scholarships provided through bilateral assistance.

33. Certification and vetting activities are ongoing in 8 of the 10 departments of Haiti in a joint effort of representatives of the Haitian National Police Inspector-General and MINUSTAH police and human rights components. At the time of writing, 5,378 investigation files had been opened to verify the professionalism and integrity of Haitian National Police officers, of which some 1,009 had been submitted to the Inspector-General for decision.

34. With regard to the strengthening of institutional capacity, the Haitian National Police has developed an operational strategy to enhance its ability to patrol land and maritime borders, including training outlines and the identification of required infrastructure and logistical capacity. Projects have already been launched to rehabilitate 15 commissariats close to the border with the Dominican Republic. Initiatives to strengthen the investigative capacity of the judicial police are also ongoing, including the renovation and expansion of facilities to support fingerprinting and communication with INTERPOL and the installation of computer networks that can facilitate communication among various police locations. Meanwhile, the rehabilitation of a police centre in Cité Soleil was completed during the reporting period with bilateral support. The establishment of this substantial base marks a significant milestone in the stabilization of Cité Soleil, since it will pave the way for civilian law enforcement agencies to maintain order in an area where major security operations were required to restore State authority little more than two years ago. The Government has also refurbished 14 commissariats in the South Department, with bilateral assistance, drawing on support from MINUSTAH and UNDP.

Judicial system

35. During the reporting period, the Haitian authorities made only limited progress towards the objectives identified in the national plan for justice reform, including on the implementation of the three fundamental laws on the independence of the judiciary.

36. The establishment of the Superior Council of the Judiciary, envisaged for September 2008, has been delayed. The vetting of nominees continued during the reporting period, focusing on their academic and professional backgrounds, property in their possession and integrity and character. It is urgent that this body be established, since it will ultimately play a key role in promoting the professional ethics and performance of the judiciary, including through the judicial inspectorate.

Meanwhile, in February, the Minister of Justice announced the establishment of the Ministry's internal inspectorate which, pending the establishment of the Superior Council of the Judiciary, will oversee all magistrates and Ministry staff. Once the Council and its inspectorate have been established, the Ministry's internal inspectorate will continue to oversee prosecutors and Ministry staff.

37. The preparations necessary for the official opening of the School of Magistrates have been completed; its inauguration, scheduled for mid-March, will mark a significant step forward, since it could help to remedy a severe shortage of skilled personnel in key positions, which have until now been filled on an ad hoc basis. Meanwhile, the training of judges of the peace continues to take place. Two additional groups of 25 judges completed a six-week course during the reporting period, bringing the total trained to 75 over the past year. A training curriculum for registry clerks is under development, as is a training programme for prosecutors, which is expected to begin shortly.

38. Draft legislation on the restructuring of the Ministry of Justice, drawing on support from MINUSTAH and UNDP, is currently undergoing internal review, together with legislation on the statutes of registry clerks and bailiffs, which was submitted to the Ministry by their respective professional associations in March 2008. Meanwhile, no further progress has been achieved towards the establishment of the 160 new courts referred to in my previous report, nor have there been advances towards the establishment of specialized chambers, to which some members of the Haitian judiciary have expressed opposition.

39. In October, new registers were distributed on a pilot basis to several tribunals for the registration and filing of criminal cases with a view to improving their case-tracking capacity. Following an evaluation of the project's outcome and the necessary adjustments, the distribution of registers would be extended to all tribunals in the country. In the area of juvenile justice, a fully staffed juvenile tribunal is now functioning in Cap-Haïtien, albeit with some logistical difficulties.

40. Two new legal aid offices were opened in Croix des Bouquets and Fort-Liberté in October, bringing the total number of such offices to nine by the end of 2008. Further donor support is necessary to permit the opening of 9 additional offices by 2010 in order to reach the envisaged total of 18. The Government is expected to gradually assume responsibility for their funding, reaching 100 per cent by 2014. A *maison de la justice*, similar to that already functioning in Cité Soleil, is expected to open in Gonaïves in March.

41. More than 87 per cent of detainees in the national penitentiary were held in pretrial detention, as were more than 78 per cent of detainees nationwide. Although these figures reflect some improvement since my previous report, they remain unacceptable. The Haitian authorities plan to undertake a comprehensive inventory of the correctional and judicial status of inmates, drawing on MINUSTAH support, with a view to facilitating a decrease in pretrial detentions and prison overcrowding. The Ministry of Justice has also initiated a project to establish a new courtroom in Port-au-Prince that would permit an increase in daily criminal hearings from 4 to 12. Meanwhile, on 10 December, the Minister of Justice publicly announced the establishment of a new National Commission on Pretrial Detention, composed of national experts, to follow up on the recommendations of the work completed by the previous Consultative Commission on Pretrial Detention. The new Commission held its first meeting on 6 February.

42. On 19 February, President Préval officially launched a follow-up commission on the reform of the judiciary, to be known as the working group on the reform of the judiciary. The working group includes legal academics, members of the bar association and members of civil society. Its main objective is to support the acceleration of the judicial reform process through specific short- and long-term proposals within the framework of the national reform plan, as well as by convening broad-based meetings across the country to discuss the modalities of the process and gain local support for these reform initiatives.

Corrections system

43. Some progress took place in initiatives to enhance corrections capacity during the reporting period, with bilateral support. However, the prison population has continued to expand: as at 12 February, 8,202 inmates (of whom 391 were women and 309 minors) were held in the country's 17 prisons, which comprise a total of only 4,884 square metres of living space, or 0.6 square metres per inmate. In the national penitentiary in Port-au-Prince, 3,875 detainees occupied 1,995 square metres, or 0.51 square metres per prisoner, far below the international norm of 2.5 square metres, which reflects a basic minimum in terms of safety and human rights.

44. The first phase of reconstruction at the Hinche (Centre Department) and Carrefour (West Department, near Port-au-Prince) prisons, funded by the Government, was completed in December. The second phase, which will result in the expansion of prison space by 232 and 420 beds respectively, has been delayed on budgetary grounds. Rehabilitation of the prison facility in Cap-Haïtien began in December with Government and bilateral support, and will result, once completed, in an additional capacity of 74 beds. Meanwhile, construction of a new 750-bed facility in Croix-des-Bouquets (also near Port-au-Prince) is expected to begin in March, after previous plans to convert a former psychiatric hospital into a prison had to be abandoned because of concerns about the soundness of the structure.

45. Since August 2008, MINUSTAH has trained 95 prison inspectors and supervisors in prison operations and emergency response. This programme, which is expected to be completed by the end of March, has already helped to enhance the functioning of the prison system.

VI. Human rights

46. With 78 per cent of the population living on $2 or less per day, extreme poverty remains one of the most far-reaching and complex challenges facing Haiti, with profoundly deleterious effects on human rights, as well as on political and social stability. The ability of the Haitian people to enjoy basic economic, social and cultural rights suffered a further, dramatic decline in the wake of the August-September 2008 storms, the impact of which was exacerbated by already existing deficiencies in infrastructure and in the State's emergency response capacity.

47. During her visit to Haiti in November 2008, the United Nations High Commissioner for Human Rights, Navanathem Pillay, saluted the efforts of the Government of Haiti and the international community in restoring security to the nation, but called for reinforced support for the victims of the cyclones. The newly appointed Independent Expert on the situation of human rights in Haiti, Michel Forst,

also visited the country in November and emphasized the link between extreme poverty and instability.

48. During the reporting period, in the first nationwide effort to promote better respect for economic, social and cultural rights, MINUSTAH and the Office of the United Nations High Commissioner for Human Rights (OHCHR) conducted a two-month campaign on the right to safe drinking water jointly with the Ministry of Public Works, the United Nations Children's Fund (UNICEF) and UNDP. At the local level, MINUSTAH and OHCHR also involved national and international non-governmental organizations in implementing water purification, distribution or management projects. They also produced a promotional film on the right to water in Haiti, which will be presented at a United Nations water conference to be held in 2009.

49. Overcrowding and inhumane conditions in the prisons and police holding cells remained the most frequent violations of political and civil rights. In addition, despite overall improvements in police conduct, there continue to be reports of excessive use of force, unlawful arrests, detentions and liberations, as well as poor quality of judicial investigations. Lynching continued to be a widespread phenomenon throughout the country, with very few cases being the object of police or judicial action and perpetrators continuing to benefit from impunity.

50. MINUSTAH and OHCHR continue to support the work of the Office de la protection du citoyen, and to advocate its strengthening through the adoption of enabling legislation and the provision of adequate funding. The draft organic law on the Office has been with the Government for consideration and review since July 2007. Meanwhile, despite some increase in funds for the Office foreseen in the draft 2009 budget, which would enable it to open new offices in four departments, its funding remains largely insufficient.

Gender

51. The appointment of a female Prime Minister and two female cabinet ministers represents a significant step forward in terms of the representation of women in leadership positions. However, at the Parliamentary level, the representation of women remains poor: only 4 of 99 deputies and 2 of 18 senators are female, while 7 women are candidates in the forthcoming senatorial elections. Further efforts will be necessary to promote women's participation in the political arena.

52. During the reporting period, the Mission carried out a three-week programme entitled "Women in action" in its multimedia centres throughout the country, to commemorate the adoption of Security Council resolution 1325 (2000) and to mark the International Day for the Elimination of Violence against Women, on 25 November, bringing together approximately 4,500 participants in 88 activities.

53. Also during the reporting period, Concertation Nationale contre les violences faites aux femmes, a national coordination organization, finalized a national questionnaire to document cases of gender-based violence and carried out training for various governmental partners and members of civil society. In addition, the United Nations police trained the Haitian National Police gender focal points and conducted sensitization sessions on sexual and gender-based violence in 49 police stations in the West Department for 700 Haitian National Police officers of both sexes. The Concertation Nationale also compared statistics collected from 2003 to 2008. According to partial data, rape has most frequently occurred in domestic

settings; gang rapes have significantly decreased since 2005 and have remained constant since 2007; and minors accounted for approximately half of all rape victims.

54. In January 2009, the Government of Haiti presented its combined initial and periodic reports to the Committee on the Elimination of Discrimination against Women in Geneva.

Child protection

55. The overall threat to children's rights from armed violence continued to diminish, in particular with a significant reduction in the kidnapping of children. During the reporting period, 22 minors were reported to have been kidnapped, of whom 11 were girls. However, the trafficking of minors, sexual violence against children and the situation in institutional care centres continued to be of serious concern.

56. The 2008 hurricane season had a particular impact on the educational system in Haiti because of both the destruction of school structures and the use of schools as temporary shelters for displaced households. This led to a delay in the start of the school year in various areas, particularly in Gonaïves.

57. Prolonged pretrial detention of minors remained a concern, in particular in the Gonaïves prison, where minors are mixed with adults, and in the Delmas 33 prison (in greater Port-au-Prince), where overcrowding is severe. MINUSTAH, UNDP and UNICEF continued to work with the Government to improve the administration of juvenile justice. While juvenile judges were appointed throughout the country between October and December 2008 and a juvenile tribunal was established in Cap-Haïtien, the number of minors in pretrial detention nonetheless increased from 246 in June 2008 to 276 in January 2009.

HIV/AIDS

58. During the reporting period, the Mission undertook sensitization training on issues related to HIV/AIDS for 2,758 members of its personnel. At the same time, MINUSTAH supported the launch of a Haitian women's group that is focusing on AIDS-related issues and, together with the Ministry of Health and national and international non-governmental organizations, organized awareness training for more than 800 community leaders, journalists and members of civil society at the Mission's multimedia centres. The Mission also organized training sessions for Haitian medical personnel, members of the Haitian National Police and vulnerable groups, including former gang members.

VII. Humanitarian, recovery and development activities

Socio-economic situation

59. Following the already bleak socio-economic situation described in my previous report, Haiti suffered a new and devastating blow with the passage of the four successive hurricanes and tropical storms, namely, Fay, Gustav, Hanna and Ike, which hit Haiti in August and early September. The result has been to gravely undermine progress in all of the key areas noted in my previous report, from the country's gross domestic product (GDP), State revenue, and agricultural and

industrial production to the delivery of basic services, job creation and the percentage of the population living on less than $1 per day.

60. The immediate human cost of the disasters included 793 deaths, 548 persons injured and 310 persons missing, while the damage or destruction of approximately 100,000 houses and the loss of already precarious livelihoods affected more than 165,000 families, especially in the Artibonite, South and South-East Departments. Overall, the Government estimated that more than 800,000 people were affected and in need of humanitarian assistance in 9 of the country's 10 departments.

61. This catastrophe also represents one of the most serious disasters in economic terms that the country has faced since the beginning of the twentieth century, resulting in a significant decrease in the forecasts for economic growth for 2008 and 2009 and diminishing still further the possibility of achieving the Millennium Development Goals in Haiti. Total losses and damage are valued at 15 per cent of GDP, more than twice the 7 per cent GDP loss inflicted by tropical storm Jeanne in 2004. The limited social services that exist in the country were severely affected, while the widespread destruction of agricultural crops has increased food insecurity. The damage to roads and bridges throughout the country represents a sharp setback for recovery efforts and further reduces access to basic services, including in the areas of health care, water and nutrition. Subsequently, pockets of malnutrition were identified all over the country, affecting 210,000 persons.

62. Official estimates indicated that in 2008 GDP growth slowed to 1.3 per cent, down from 3.4 per cent in 2007, and became negative in per capita terms after three consecutive years of positive growth. The 12-month inflation rate peaked at 19.8 per cent in September 2008, but declined to 10.1 per cent by the end of December, largely because of falling international food and oil prices. The global financial crisis is likely to bring about a further deterioration in the daily living conditions experienced by many Haitians during the coming year by reducing the scale of remittances from abroad, which have represented a key source of desperately needed support for many families.

Humanitarian and development interventions

63. In the immediate aftermath of the hurricanes, MINUSTAH, the United Nations system, non-governmental organizations and bilateral donors supported the Haitian authorities by delivering emergency assistance and relief supplies to affected populations, focusing on such urgent needs as shelter, nutrition, water, sanitation and protection. A number of these efforts targeted the population of Gonaïves, where the devastation was by far the most significant. Working alongside United Nations agencies, non-governmental organizations and national authorities, MINUSTAH military, police and logistical components played a key role in undertaking rescue operations, providing immediate security, facilitating the delivery of emergency supplies and shoring up collapsing infrastructure immediately after the hurricanes. Their efforts were further supplemented by bilateral partners, whose swift and generous response made a critical difference in rescue and relief efforts.

64. During the reporting period, agencies reprogrammed funds to address humanitarian emergencies caused by the storms. The Central Emergency Response Fund allocated $10 million from its rapid response window. The International Fund for Agricultural Development provided $10 million to support efforts to boost agricultural production. The World Food Programme (WFP) distributed 12,306 tons

of food to 646,926 direct beneficiaries, including 9,357 tons in Gonaïves, totalling $37 million. The beginning of the 2008/09 school year represented a particular challenge for the Government and its partners. Up to 98 per cent of the cost of school meals was funded by partners, in particular WFP, which provided $17.2 million in assistance. Labour-intensive programmes conducted jointly by United Nations agencies focused on the environment and the rehabilitation of infrastructure and helped to create 500,000 temporary jobs. Some 3.7 million children were vaccinated in 2008 in the country-wide campaign organized jointly by the World Health Organization and UNICEF, with support from MINUSTAH.

65. A flash appeal, which was launched in September and subsequently revised on 18 December, requested $127 million in assistance over an eight-month period to provide emergency relief to 800,000 people affected by the storms, focusing on humanitarian needs. To date it has received $63 million in funding, or approximately half the total sought. Subsequently, a post-disaster needs assessment, prepared by the Government with the support of the World Bank, the European Commission and the United Nations, outlined a comprehensive framework for early recovery, rehabilitation and reconstruction. Needs were estimated at $763 million, of which one third ($269 million) would be dedicated to the immediate recovery of affected communities and the remainder would support the restoration of agricultural output and the reconstruction of housing and infrastructure. The post-disaster needs assessment also offers suggestions on the types of activities that may reduce the vulnerability of Haiti to natural disasters. In addition, in November, the United Nations Development Assistance Framework was approved as a United Nations common response in support of the poverty reduction strategy paper 2008-2010, with $520 million required for its implementation during the next three years.

66. Alongside these efforts to help Haiti emerge from the immediate crisis situation and to enhance access to basic social services, it is essential that the country seek to lay the foundations for progress towards sustainable development in the longer term. This will require a concerted effort by the Haitian authorities, who must create a framework that is favourable for investment and development, together with the international community and the private sector in Haiti and abroad.

67. In this context, I dispatched Professor Collier to Haiti in early December to take stock of the situation and make practical recommendations on how to help Haiti break the cycle of violence, poverty and natural disaster. His report, entitled "Haiti: from natural catastrophe to economic security", stresses that the economic fundamentals of Haiti are strong, including its proximity to major international markets, highly advantageous trade agreements and a capable and willing labour force. He suggests that, in order to take advantage of this potential, it is desirable that the Haitian authorities work together with donors to undertake a targeted programme to create export zones with adequate infrastructure, energy and administration that can meet the requirements of investors. He argues that such an approach could help to generate a substantial number of jobs. Combined with parallel efforts to enhance the delivery of basic services, improve food security and promote environmental sustainability, it could pave the way for Haiti to cross a critical threshold from enduring poverty towards a future of socio-economic security. The report has elicited positive reactions from President Préval, Prime Minister Pierre-Louis, the private sector in Haiti and key members of the international donor community. As such, it provides a valuable complement to the

blueprint already prepared in the context of the poverty reduction strategy paper and the post-disaster needs assessment.

68. It is desirable that the Haitian authorities draw upon these various ideas to prepare a common road map or compact, with mutual commitments by the Haitian Government and donors, which could be considered at a donors' conference (see para. 70 below) and could lay the groundwork for a coherent and effective programme for the future.

Donor coordination

69. In October 2008, the Group of 10 presented a workplan to Prime Minister Pierre-Louis and articulated a proposal for a donor sector coordination system and for more frequent and structured dialogue with the Government. The workplan outlined the major areas in which the Group of 10 would like to have a common voice vis-à-vis the Government, including a joint approach to communications, sector coordination and agreed indicators of governance. A subsequent review suggested that the initiative had contributed significantly to the establishment of Government-led sectoral tables in such areas as agriculture and watershed management.

70. Drawing on support from the international community, the Government is preparing for a technical conference hosted by the Government of Canada, held in Ottawa on 2 and 3 March, in advance of an international donor conference hosted by the Inter-American Development Bank, scheduled to be held in Washington, D.C., on 13 and 14 April.

VIII. Personnel conduct and discipline

71. During the reporting period, MINUSTAH continued to implement a zero-tolerance policy with regard to sexual exploitation and abuse. Six formed police unit officers were repatriated for related misconduct, while one police officer and seven military personnel were repatriated for other disciplinary reasons.

72. In order to reduce the risk of future incidents of sexual exploitation and abuse, the Mission provided training to 2,620 staff on those issues during the reporting period and held training workshops for some 35 international and national sexual exploitation and abuse focal points in October. Military and police contingents also continued to provide training to their personnel on sexual exploitation and abuse. In addition, MINUSTAH has launched an internal campaign against transactional sex, drawing on a variety of means to convey the campaign's message, including a film festival. Communication of the Organization's policy against sexual exploitation and abuse was further supported through a series of field visits and outreach using the Mission's multimedia centres.

IX. Mission support

73. The series of hurricanes and tropical storms that struck Haiti had a significant impact on MINUSTAH. The Mission provided extensive assistance to the Haitian authorities and the United Nations country team to facilitate the provision and coordination of humanitarian assistance and access by humanitarian workers,

including through large-scale transportation operations. At the same time, the storms led to the loss of certain United Nations-owned equipment and critical supplies, such as fuel. Although much of the damaged equipment has been replaced, the reconstruction of some MINUSTAH facilities, particularly in Gonaïves, continues to pose a challenge.

74. During the reporting period, MINUSTAH continued to conduct limited road infrastructure and rehabilitation development projects both in the regions and in Port-au-Prince in response to operational requirements. The Mission also undertook extensive construction activity to deploy troops and equipment along the maritime border, having established basic facilities at Fort-Liberté, Port-Salut and Port-de-Paix. Additional installations are being established in Gonaïves, Jacmel and Miragoâne.

75. During the coming months, the organization of the senatorial elections will require extensive logistical support, and preparations are already under way to meet this challenge without undue disruption to ongoing Mission operations.

76. During the reporting period, 3 Mission personnel died, 10 were medically evacuated and treated within Haiti and 72 were evacuated to higher-level medical facilities outside Haiti.

77. Since my previous report, the coverage of Radio MINUSTAH was extended to the Centre Department. It is planned that transmitter installations will be completed in four additional departments by mid-2009, enabling Radio MINUSTAH to reach the population of 8 of the country's 10 departments. Radio programming is also streamed on the Internet; this has permitted access to Haitians abroad, who have responded positively to daily public-service radio broadcasts in Creole and French.

78. By the end of 2008, 616 civil society associations had registered to use the nine MINUSTAH multimedia centres. During the reporting period, the centres supported 323 events, including training activities, workshops, debates and commemorations of United Nations Day, which involved more than 20,000 Haitians (of whom 36 per cent were women). The Mission plans to install videoconferencing facilities at all the centres, thereby extending and broadening dialogue among Haitians, including those living abroad.

79. In October 2008, MINUSTAH started producing and disseminating for broadcast on Haitian television stations, both within the country and in North America, a weekly video programme focusing on positive economic and social initiatives undertaken by Haitians, as well as on the contributions of the international community to stability. Many such programmes have been shown by international broadcasters, thus increasing the visibility of Haiti abroad.

X. Financial aspects

80. By its resolution 62/261, the General Assembly appropriated an amount of $574,916,500, equivalent to $47,909,700 per month, for the maintenance of MINUSTAH for the period from 1 July 2008 to 30 June 2009. The proposed budget for MINUSTAH for the period from 1 July 2009 to 30 June 2010 has been submitted to the Assembly for its consideration at the second part of its resumed sixty-third session.

81. As at 31 December 2008, unpaid assessed contributions to the Special Account for MINUSTAH amounted to $273.2 million. The total outstanding assessed contributions for all peacekeeping operations as at that date amounted to $2,673.1 million.

82. As at 31 January 2009, the amount owed to contributors of troops and formed police to MINUSTAH totalled $18.5 million. Reimbursement of troop and contingent-owned equipment costs have been made for the periods ending 30 November and 30 September respectively, in accordance with the quarterly payment schedule.

XI. Observations and recommendations

83. The reporting period was dominated by the tragic aftermath of the hurricanes and tropical storms that passed through Haiti in August and September. As a result, progress in some key areas has fallen short of expectations. There have been incremental advances in four of the five benchmarks that are critical for the consolidation of Haiti's stability: political dialogue and elections; extension of State authority, including border management; strengthening of security; and rule of law and human rights. In the fifth area, social and economic development, there has unfortunately been a marked deterioration, in terms of the daily living conditions faced by the vast majority of the Haitian people.

84. Those achievements which have been reached remain very fragile and are subject to reversal. Continued, determined engagement by the Haitian authorities, together with enhanced support by the international community, will be critical in the coming months to recover ground that has been lost, while securing and building on the gains that have been made.

85. As regards political dialogue and elections, the installation of the Government of Prime Minister Pierre-Louis represented an important step forward. The enhanced collaboration that emerged between the executive branch, the Parliament and civil society in response to the storms offered further grounds for encouragement, as did the agreement of the executive and legislative branches on a shared legislative agenda and President Préval's call for renewed national dialogue. On the other hand, the potential for renewed political division and paralysis were highlighted by the continued parliamentary threats to summon Government ministers, the absence so far of an agreement on the 2008/09 budget and the modest progress made to date on the legislative agenda.

86. While the elections for vacant Senate seats could ultimately favour greater institutional effectiveness, they bring a short-term risk of further tension. In this context, every effort should be made to ensure that this democratic exercise is free, fair and inclusive and that it culminates in the selection of candidates with the necessary moral and professional qualities. More broadly, it is essential that the Haitian leadership continue to embrace a collaborative approach and that it be prepared to take decisions and implement them in a timely manner; without this, the country cannot hope to address longer-term issues, including a possible review of problematic provisions of the 1987 Constitution.

87. The extension of State authority depends on the strengthening of key institutions, which is a long-term endeavour. The Mission will continue to focus on

the areas of administrative capacities of governing institutions at all levels, integrated border management and border security, all of which are closely linked to its core mandated responsibilities. However, it remains essential to find ways to enhance the country's broader administrative and governance capacity and to improve the Government's ability to deliver basic services to its people, which is critical for stability. While a number of bilateral initiatives are under way, their overall impact would be enhanced through improved coordination within an overarching, nationally owned framework for State reform, building on previously prepared blueprints, which could draw as appropriate on contributions from the United Nations.

88. During the reporting period, continued progress was made towards milestones in the area of security. Increased collaboration between MINUSTAH, the Haitian National Police and the Haitian public contributed to a more effective response to threats from criminal elements. Meanwhile, efforts to enhance the capacity of the police continued. There is a high risk, however, of renewed unrest or violence, which has been exacerbated by socio-economic circumstances, including the suffering brought about by the storms and, more recently, by tensions related to the ongoing electoral process, which could be manipulated for political or criminal reasons. At a time when the Haitian National Police is still developing the capacity to respond to such threats on its own, the present configuration and mandate of MINUSTAH, as approved by the Security Council in October 2008, will enable the Mission to continue to play its role in maintaining the country's stability. Meanwhile, the Mission's enhanced patrolling of land and maritime borders should be complemented through the engagement of other countries in the region, whose involvement is critical to responding to broader problems, including the potentially destabilizing impact of drug trafficking.

89. Limited progress has been made during the reporting period in the area of the rule of law and human rights, and real advances towards a number of critical milestones will depend upon political prioritization by the Haitian authorities. Their full engagement will be critical to ensuring the establishment of the Conseil supérieur du pouvoir judiciaire, the opening of the École de la magistrature and the strengthening of the Office de la protection du citoyen, as well as the implementation of the strategic plan to expand the country's correctional facilities. Continued generous bilateral support also remains indispensable.

90. Finally, the damage inflicted by the tropical storms and hurricanes has made starkly apparent the urgent need to improve the daily living conditions of the Haitian people and the linkage between security stabilization and development, since the current levels of poverty, deprivation and suffering in the country are clearly incompatible with its long-term stability. The global financial crisis brings the risk of further deterioration due to a decrease in remittances, unless a major effort is made now to respond to socio-economic threats. It is urgent that the Haitian authorities work closely with the international community to facilitate the flow of necessary relief and recovery, while laying a foundation for renewed private-sector activity and for the country's longer-term reconstruction and development. In this regard, along with the poverty reduction strategy paper and the post-disaster needs assessment, the proposals outlined by Professor Collier provide the elements of a critical path towards lasting economic security for Haiti. The convening of a high-level conference on growth and poverty reduction offers a precious opportunity to merge these ideas into a comprehensive and coherent plan of action and to jump-

start its implementation. Even within the current financial climate, it is vital that an additional effort be made at this time; the resources required would be relatively modest in absolute terms, but, as in other countries facing socio-economic pressures, a timely injection of support around a well-designed strategy could make a critical difference in securing the gains that have been achieved thus far and in pre-empting a backward slide that would entail far greater cost in the long term.

91. Notwithstanding the serious difficulties encountered during the reporting period, the present situation still offers an opportunity to advance towards the consolidation of stability, given the necessary patience and perseverance. The continued engagement of the international community, through support for security and rule-of-law institutions, technical advice and provision of necessary resources, remains essential. However, such assistance will bear fruit only if the Haitians themselves bring to their longer-term challenges the same level of resolve and spirit of consensus that they displayed in the immediate aftermath of the storms. The design and implementation of institutional reforms, the adoption of sound legislation, the crafting of an economic strategy and, above all, the reinforcement of dialogue and political collaboration, can be achieved only through the full engagement of the leadership and people of Haiti, who remain responsible for their country's future.

92. I would like to conclude by expressing my sincere gratitude to my Special Representative, Hédi Annabi, and to the men and women of MINUSTAH for their courage and dedication to the stabilization of Haiti, as well as to those Governments which have provided troops and police to the operation.

Annex I

Countries providing military staff and contingents to the United Nations Stabilization Mission in Haiti

(as at 26 February 2009)

	Staff officers		*Troops*		
Country	*Female*	*Male*	*Female*	*Male*	*Total*
Argentina		9	10	539	558
Bolivia		3	5	200	208
Brazil		15[a]	6	1 261[b]	1 282
Canada		4	—	—	4
Chile		6	5	492	503
Croatia		3	—	—	3
Ecuador		1	—	66	67
France		2	—	—	2
Guatemala		5	6	107	118
Jordan		10	—	718	728
Nepal		10	13	1 054	1 077
Paraguay		—	—	31	31
Peru		5	—	204	209
Philippines		2	11	144	157
Sri Lanka		10	—	949	959
United States of America		4	—	—	4
Uruguay		13	50	1 059	1 122
Total		**102**	**106**	**6 824**	**7 032**

[a] Including the Force Commander.
[b] Including one Bolivian officer serving with the Brazilian contingent.

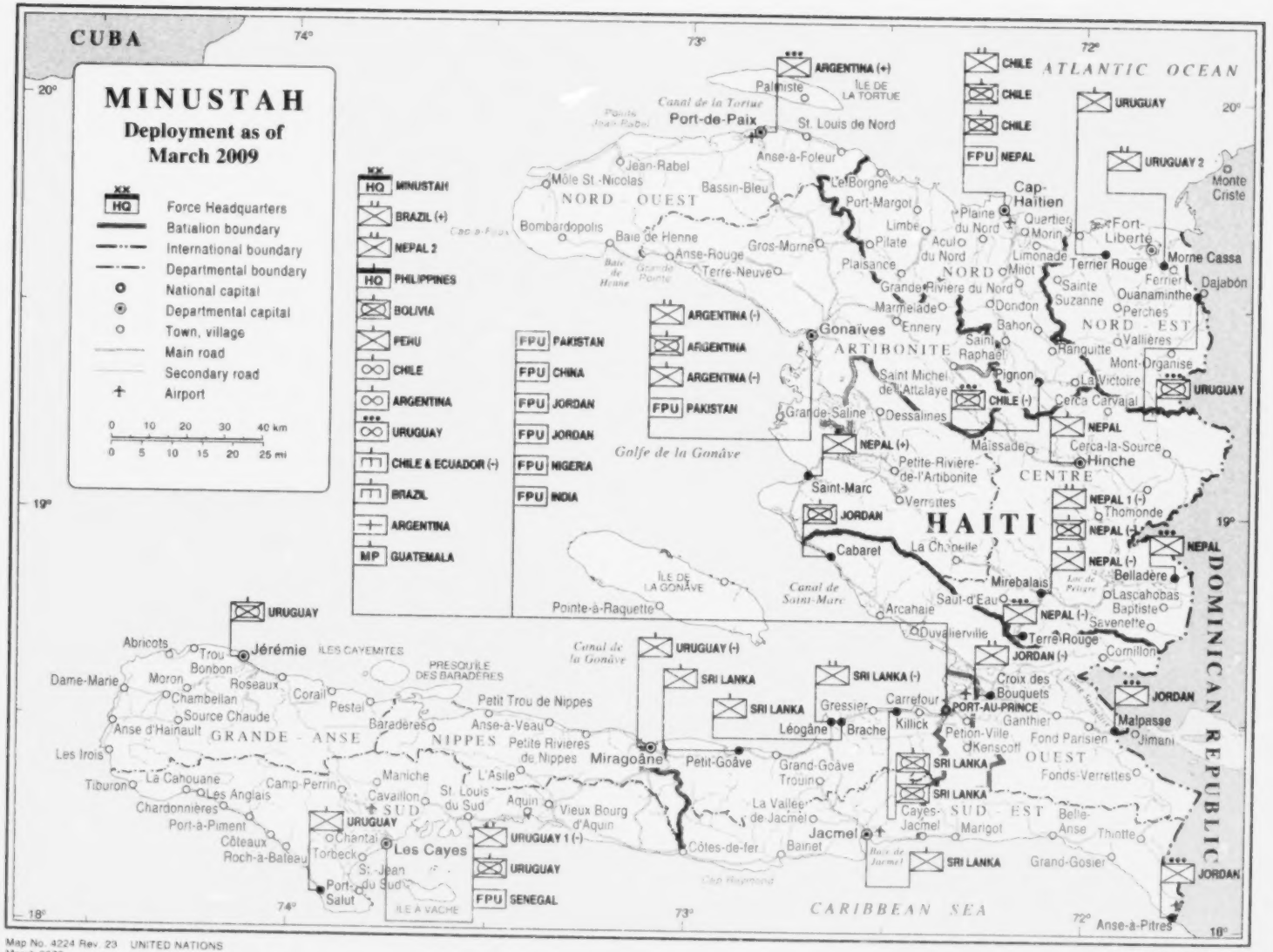
Annex II

Countries providing police officers and formed police units to the United Nations Stabilization Mission in Haiti

(as at 25 February 2009)

	Police officers		*Formed police units*		
Country	*Female*	*Male*	*Female*	*Male*	*Total*
Argentina	—	4	—	—	4
Australia	—	—	—	—	—
Benin	1	31	—	—	32
Brazil	—	4	—	—	4
Burkina Faso	—	22	—	—	22
Cameroon	—	8	—	—	8
Canada	17	77	—	—	94
Central African Republic	1	6	—	—	7
Chad	—	3	—	—	3
Chile	1	14	—	—	15
China	4	14	5	120	143
Colombia	—	7	—	—	7
Côte d'Ivoire	5	55	—	—	60
Democratic Republic of the Congo	—	2	—	—	2
Egypt	—	22	—	—	22
El Salvador	—	4	—	—	4
France	1	57	—	—	58
Grenada	—	3	—	—	3
Guinea	4	51	—	—	55
India	—	—	—	139	139
Italy	—	4	—	—	4
Jamaica	—	5	—	—	5
Jordan	—	21	—	290	311
Madagascar	—	1	—	—	1
Mali	1	54	—	—	55
Mexico	—	—	—	—	—
Nepal	3	41	9	115	168
Niger	3	59	—	—	62
Nigeria	—	4	30	94	128
Pakistan	—	—	—	247	247
Philippines	5	13	—	—	18
Romania	6	17	—	—	23
Russian Federation	—	10	—	—	10
Rwanda	—	14	—	—	14

Country	Police officers		Formed police units		Total
	Female	Male	Female	Male	
Senegal	—	46	—	85	131
Serbia	1	4	—	—	5
Spain	3	38	—	—	41
Sri Lanka	—	13	—	—	13
Togo	—	5	—	—	5
Turkey	3	43	—	—	46
Uruguay	—	7	—	—	7
United States of America	6	38	—	—	44
Yemen	—	1	—	—	1
Total	**65**	**822**	**44**	**1 090**	**2 021**



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General Assembly
Tenth emergency special session
Agenda item 5
Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Security Council
Sixty-fourth year

Identical letters dated 6 March 2009 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

I write to you today in follow-up of previous letters regarding Israel's aggressive, illegal and destructive colonization activities and measures in the Occupied Palestinian Territory, particularly in and around Occupied East Jerusalem. International law, including humanitarian and human rights law, continues to be deliberately trampled by the occupying Power, amounting to grave breaches and gross violations of the human rights of the Palestinian civilian population under occupation.

This week, on 3 March, the occupying Power issued another 55 demolition orders against Palestinian homes, this time specifically targeting homes located in the Shu'fat refugee camp area of Occupied East Jerusalem. This was followed yesterday, 5 March, by the occupying Power issuing demolition orders against 36 Palestinian families living in two buildings in the Al-Abbasiyya quarter in the Silwan neighbourhood of Occupied East Jerusalem, declaring that the families had 10 days to evacuate their homes. Preceding these orders, as mentioned in our last letter to you, the occupying Power had issued demolition orders against over 80 Palestinian homes in the Silwan neighbourhood of Occupied East Jerusalem, an area that has been constantly and heavily targeted by Israeli demolition, eviction and excavation orders and measures.

These orders are the latest in a series of such illegal measures comprising a massive Israeli drive to carry out the widest demolition of Palestinian homes in the Occupied Palestinian Territory since 1967. Such orders, which are clearly intended to illegally alter the demographic composition, character and status of Occupied East Jerusalem and surrounding environs as part of Israel's overall settlement campaign in the Occupied Palestinian Territory, threaten to render hundreds more Palestinian families homeless and to further displace Palestinians, in addition to the thousands already displaced by the occupying Power.

09-25789 (E) 090309

We reject the empty Israeli pretext of a "lack of building permits" as justification for these demolition orders. Israel's discriminatory practices of denying permits to the Palestinian Jerusalemites under its occupation to build or expand their homes and imposing arbitrary and racist residency restrictions on them is well-documented. The intent of the occupying Power is irrefutable — to alter the physical and demographic landscape of Occupied East Jerusalem by forcing its de-Palestinianization by driving out the Palestinian inhabitants of the city by such unlawful means, while at the same time promoting the city's Judaization through other physical colonization measures that create facts on the ground, including the construction and expansion of settlements and the Wall, the transfer of thousands upon thousands of more Israeli settlers and the incessant excavations throughout the city, including in the area of Al-Haram Al-Sharif.

Such illegal actions and intimidation measures by Israel, the occupying Power, in the Occupied Palestinian Territory must be condemned by the international community and unequivocal calls for their immediate cessation must be made.

Furthermore, these illegal policies and practices constitute a serious blow to any efforts to pursue peace, as they are considered to be a reflection of Israel's absolute lack of commitment to a peaceful settlement based on the two-State solution. Revelations about such demolition orders aimed at the transfer of the Palestinian population of Occupied East Jerusalem, in addition to revelations about ongoing settlement activities, including the latest reports about plans to construct 77,000 new units in various illegal Israeli settlements, seriously undermine Israel's credibility as a partner in any peace process. In this regard, it is imperative to underscore that Israel has intensified its illegal settlement activities in the West Bank, particularly in East Jerusalem, by 17 times in the past year. This has been perpetrated in grave breach of international humanitarian law and in violation of relevant United Nations resolutions, including Security Council resolutions 1515 (2004) and 1850 (2008), which endorsed the Roadmap call for immediate cessation of all settlement activity, including the so-called natural growth, and the dismantlement of settlement "outposts".

These unlawful actions are totally contrary to and incompatible with the purpose and stated goals of the peace process. Indeed, these illegal colonization activities indicate only the desire and intention of the occupying Power to continue its land grab and entrench its control of the Palestinian land, rather than the intention to uphold United Nations resolutions and the principle of land for peace, which necessitates the cessation and reversal of its illegal colonization measures towards ultimately ending this illegal, prolonged military occupation as a prerequisite for the achievement of a just, lasting peace.

We cannot stand idly by as more Palestinian land is grabbed, more Palestinian property is destroyed, more Palestinian families are displaced and collectively punished, and the composition, character and status of our future capital is being forcibly changed by the occupying Power's illegal actions. Moreover, the international community has a moral and legal obligation to ensure respect by Israel for international law, including its specific obligations as an occupying Power under the Fourth Geneva Convention, and to hold Israel accountable for its blatant, calculated and deliberate trespasses of the law.

The Palestinian leadership remains committed to the principle of the two-State solution, on the basis of United Nations resolutions and international law, as the

only way to realize true peace in the region. At the same time, however, we stress that Israel, the occupying Power, must be obliged to prove its commitment to international law, including to international humanitarian and human rights law, which are applicable to the Occupied Palestinian Territory, as well as to reaffirm its previous commitments undertaken in the course of the peace process and its adherence to the principle of a two-State solution if it is to be considered a credible peace partner.

Serious and genuine negotiations cannot and will not be conducted while these illegal Israeli actions continue to be carried out. Accordingly, the international community, in upholding its legal obligations and in pursuit of the goal of peace and stability, must also be unequivocal in its message that peace in the Middle East will be the consequence of ending the 42-year-old Israeli occupation, which cannot happen unless Israel stops completely its illegal colonization campaign in the Occupied Palestinian Territory, including East Jerusalem.

The present letter is in follow-up to our previous 335 letters to you regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, since 28 September 2000. These letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 25 February 2009 (A/ES-10/449-S/2009/113), constitute a basic record of the crimes being committed by Israel, the occupying Power, against the Palestinian people since September 2000. For all of these war crimes, State terrorism and systematic human rights violations committed against the Palestinian people, Israel, the occupying Power, must be held accountable and the perpetrators must be brought to justice. (As all the victims have not yet been identified, their names will be included in an annex to a future letter.)

I should be grateful if you would arrange to have the text of the present letter distributed as a document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

(*Signed*) Riyad **Mansour**
Ambassador
Permanent Observer

United Nations S/2009/131

Security Council

Distr.: General
6 March 2009

Original: English

Identical letters dated 2 March 2009 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General and the President of the Security Council

I write to draw your attention to recent and alarming terrorist activities carried out against Israel emanating from the Hamas-controlled Gaza Strip. These ongoing attacks not only hinder efforts to reach a stable and durable ceasefire, but also represent an ongoing threat to the peace and security of Israel, as well as the people of Gaza.

On 1 March 2009 alone, 12 Qassam rockets were fired at the Israeli city of Sderot from the Hamas-controlled Gaza Strip. One of the rockets landed next to a private residence, causing property damage.

One day earlier, on 28 February 2009, one advanced Grad rocket hit a school in Ashkelon, destroying classrooms and spraying pieces of shrapnel in all directions. Two civilians were wounded in the attack. Had the school building not been closed for the Jewish Sabbath, there likely would have been many more casualties. As a result of this attack and the ongoing security threat, schools are closed and classes are suspended across Ashkelon, which constitutes a humanitarian problem.

Prior to these and other attacks last week, since Israel declared a unilateral hold-fire on 18 January 2009, there have been nearly 100 rocket and mortar attacks from the Gaza Strip. These attacks clearly demonstrate that Hamas and other Palestinian terrorist groups continue to undermine regional stability and seek to murder, injure and terrorize Israeli civilians.

In response to these ongoing attacks, Israel has the inherent duty to exercise its right to self-defence enshrined in Article 51 of the United Nations Charter. The Government of Israel will continue to safeguard the security of its citizens and will ensure that the situation in southern Israel does not return to the status quo ante of December 2008. Israel will not tolerate, and will respond accordingly to attacks against its citizens.

I should be grateful if you would have the present letter distributed as a document of the Security Council.

(*Signed*) Gabriela **Shalev**
Ambassador
Permanent Representative

09-25801 (E) 060309

United Nations S/2009/132

Security Council

Distr.: General
9 March 2009

Original: English

Report of the Secretary-General on the situation in Somalia

I. Introduction

1. The present report is submitted pursuant to the statement by the President of the Security Council of 31 October 2001 (S/PRST/2001/30), in which the Council requested me to submit quarterly reports on the situation in Somalia. The report covers developments since my previous report, dated 17 November 2008 (S/2008/709), and focuses, in particular, on political developments and progress made in the Djibouti peace process. The report includes relevant information on peacebuilding efforts and the security, humanitarian and human rights situations, as well as the operational activities of the United Nations agencies and programmes in Somalia. As requested by the Council in paragraphs 5 and 6 of its resolution 1863 (2009), the report also outlines progress made towards the strengthening of the African Union Mission in Somalia (AMISOM), support to the Somali security and rule-of-law institutions and contingency planning for the possible deployment of a United Nations peacekeeping operation.

II. Main developments in Somalia

A. Political developments

2. Since my previous report, there have been a number of developments in Somalia, notably the resignation of the President, Abdullahi Yusuf Ahmed, and the subsequent election of Sheikh Sharif Sheikh Ahmed as his successor.

3. In line with the commitments made under the Djibouti agreement, on 26 October 2008 members of the Transitional Federal Government and the Alliance for the Re-liberation of Somalia (ARS) adopted, at a meeting of the High-level Committee, a joint declaration on the establishment of a unity Government and an inclusive Parliament. In November 2008, the High-level Committee agreed on further modalities to enhance political cooperation. To this end, the two parties established a working group to engage on details of the unity structures.

4. In November 2008, the Joint Security Committee developed detailed proposals to strengthen the work of the High-level Committee, in particular with respect to the implementation of the agreement on the cessation of armed confrontation, signed on 26 October 2008. The Joint Security Committee established a working group for the integration and realignment of the Somali Police Force and agreed to develop

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detailed plans for the formation of interim joint security forces and command structures. The Joint Security Committee also agreed to establish a verification and monitoring mission, with headquarters in Mogadishu, to promote a comprehensive ceasefire. However, lack of financial and logistical support is delaying progress in all areas. Immediate support for the Somali Police Force and the Joint Security Force is vital to securing the political and security gains made in the peace process.

5. Early in December, members of ARS, led by Sheikh Sharif Sheikh Ahmed, returned to Mogadishu for the first time in two years to commence the implementation of the Djibouti agreement. The delegation was warmly received at Mogadishu airport by representatives of the Transitional Federal Government, ARS supporters and the local population.

6. President Abdullahi Yusuf Ahmed formally announced his resignation in a statement which he delivered before Parliament and Cabinet members in Baidoa on 29 December 2008. The President said that he was resigning to avoid being seen as an "obstacle to peace" in Somalia.

7. Following the resignation of the President, the Speaker of Parliament, Sheikh Adan Madobe, assumed the presidency in an acting capacity, in line with article 45 of the Transitional Federal Charter, which empowers Parliament to elect a new President within 30 days. On 12 January, the Speaker announced the formation of the Parliamentary Committee for the Presidential Election, which was given the task of overseeing the election of a new President.

8. On 26 January, the Transitional Federal Parliament voted in favour of an expansion by 275 seats, with 200 seats allocated to ARS and the remaining 75 reserved for members of civil society, businesspeople, women, the diaspora and other opposition groups. On 27 January, the Transition Federal Parliament adopted a motion to amend the Transitional Federal Charter in order to extend its mandate for two years, until August 2011. Subsequently, the new ARS members of Parliament were sworn in.

9. During the negotiations, my Special Representative, Ahmedou Ould Abdallah, appealed to the Somali parties to eschew the concept of "winner takes all" and seek compromise to end the long-running conflict in the country.

10. On 30 January, after two rounds of voting in Djibouti, the expanded Parliament elected the Chairman of ARS, Sheikh Sharif Sheikh Ahmed, as the country's new interim President, and he was sworn in on 31 January. In his inaugural speech, the President vowed to build an inclusive Government, extend a hand to hard-line armed groups still opposed to the peace talks and bring Somalia back into the regional fold. Following his inauguration, the President attended the African Union Summit held in Addis Ababa from 2 to 4 February.

11. The international community has since welcomed the election of President Ahmed and expressed its readiness to cooperate with his Government in its effort to bring about peace and stability in Somalia.

12. On 13 February, the President appointed Omar Abdirashid Ali Sharmarke as the new Prime Minister. The appointment was endorsed by the 475-seat Parliament by 410 votes to 9, with 2 abstentions. On 20 February, the Prime Minister announced the formation of the new 36-member Cabinet, which Parliament

endorsed on 21 February. On 23 February, President Ahmed returned to Mogadishu, with the Prime Minister and the Cabinet expected to follow suit.

Other developments

13. In November 2008, the Government of Ethiopia announced its intention to start withdrawing its forces from Somalia by the end of the year. On 13 January 2009, Ethiopian forces vacated the following locations in northern Mogadishu: the pasta factory, Carafat neighbourhood, Hayle Barise building and Towfiq intersection. The forces completed their withdrawal from all locations in Mogadishu two days later. Subsequently, the Transitional Federal Government and ARS issued a joint statement in which they called on the United Nations to deploy peacekeepers in Somalia. In the statement they also announced that "the two parties to the Djibouti agreement are working on a joint security initiative as Ethiopian troops withdraw".

14. Following the Ethiopian withdrawal from Somalia, traditional leaders of the Mudulood, the dominant Hawiye sub-clan in Mogadishu, reportedly warned that they would not tolerate the continuation of the insurgency. The elders and religious leaders in Mogadishu urged residents to bury their differences and work towards the attainment of total peace in the country. Women's groups in Mogadishu are said to have added their voice to the elders' appeal against attacking the AMISOM troops.

15. The Al-Shabaab insurgent group, which opposes the Djibouti process, has taken control of Baidoa. The takeover was carried out peacefully through negotiation with the clans. However, the fall of Baidoa and the seizure of the Parliament building is a setback for the newly expanded Transitional Federal Parliament, which is unlikely to return to Baidoa in the short term.

16. Al-Shabaab did not, however, overrun the country following the withdrawal of the Ethiopian troops as had been feared. A number of new militias, which are either clan- or religion-based, such as the Al-Sunna wa-al-Jamaa, have emerged and are opposing Al-Shabaab, which is reported to command little popular support. Nevertheless, Al-Shabaab has vowed to continue with the insurgency and reiterated its opposition to the peace process.

17. The withdrawal of Ethiopian troops from Somalia has put further pressure on the AMISOM troops, which continue to provide security at vital installations, including the airport, the seaport and the presidential palace. However, AMISOM will not be able to expand its area of operations or fully execute its mandate until it has been strengthened in line with Security Council resolution 1863 (2009), and it is likely to remain the focus of insurgent attacks by Al-Shabaab.

18. On 8 January 2009, "Puntland" elected Abdirahman Muhammad Farole as its new President. Mr. Farole addressed a letter to my Special Representative on 22 January, in which he reaffirmed the continued support of "Puntland" for any "legitimate, meaningful and representative reconciliation of the Somali people". In the same letter, he regretted that "Puntland" was not adequately represented in the United Nations-sponsored reconciliation process. In response, my Special Representative informed Mr. Farole that "Puntland" was welcome to join the process and that UNPOS was ready to facilitate the participation of its representatives. Mr. Farole welcomed the appointment of President Sharif Ahmed and pledged to work with the new Administration.

B. Security situation

19. The security situation in Somalia remained volatile during the reporting period. Insurgent forces gained control over additional towns and territory, although they are increasingly facing armed resistance from clans and other local militias. Ethiopian forces completed their withdrawal from Mogadishu on 15 January, and the last troop contingents were reported to have crossed from Somalia into Ethiopia on 25 January.

20. Although widespread fighting in Mogadishu as a result of the Ethiopian withdrawal did not materialize, neither ARS nor the Transitional Federal Government forces were able to deploy immediately into all the areas vacated by Ethiopian troops, as had originally been planned. Clan militias moved swiftly into strategic positions in northern Mogadishu, and clan elders were able to contain the security situation through negotiations. Upon his return to Mogadishu on 7 February, President Ahmed engaged clan and insurgent leaders in an attempt to address immediate security concerns. However, insurgent attacks against AMISOM intensified following the withdrawal of the Ethiopian forces; eight significant attacks against AMISOM troops have been reported since mid-January, including several roadside bomb attacks and one suicide bombing. Although AMISOM maintains that its troops reacted with restraint, local media reported that disproportionate responses resulted in the deaths of civilians. The deadliest of the attacks on AMISOM occurred on 22 February, killing 11 Burundian peacekeepers and injuring others. The AMISOM positions at the seaport and airport remain highly vulnerable to mortar fire from surrounding elevated areas, which presents a considerable risk for the Mission's supply line.

21. Beyond Mogadishu, insurgent forces have consolidated their presence in the Lower Shabelle region and expanded further into the Bay and Gedo regions. Al-Shabaab took control of the seaport town of Merka in December 2008: its forces stormed the compounds of humanitarian agencies, including the World Food Programme (WFP) office, where they disarmed the guards, stole communications equipment and cash and held several national staff at gunpoint. At the beginning of January, reports were received from Kismayo indicating that Al-Shabaab militias had arrested up to 30 people in a raid targeting local non-governmental organizations. Since December 2008, Al-Shabaab forces in other regions have met with increasing opposition from local clans. In the Galgaduud region in January 2009, the Al-Sunna wa-al-Jamaa engaged Al-Shabaab militias in intense fighting, reportedly killing at least 35 people and injuring more than 60 in Dhusamareeb. The latest reports indicate that Al-Shabaab forces have been expelled from most towns in the Galgaduud region. On 25 January, immediately following the withdrawal of the Ethiopian forces from Baidoa, widespread looting was reported after the Transitional Federal Government militia left the town, until Al-Shabaab took control though negotiation with local clan elders.

22. In light of the extreme risks, and given the continuing direct attacks against humanitarian workers, the United Nations was forced to further reduce personnel and programme activity. In January 2009, two WFP staff were murdered in separate incidents at food distribution sites, increasing to eight the total number of United Nations staff killed in the past 12 months. One United Nations staff member remains in captivity after having been taken hostage in June 2008.

III. African Union Mission in Somalia

23. In line with the provisions of the agreement between the Transitional Federal Government and ARS on the cessation of armed confrontation, AMISOM has been able to successfully assist the joint security forces of the two parties in taking control of the areas vacated by the Ethiopian troops.

24. Despite the fact that pledges have been made and financial and logistical support received from a number of countries, the resources available fall far short of AMISOM requirements for the full deployment and sustenance of its operations. The African Union has appealed to the Security Council for political, financial and logistical support for AMISOM. A number of countries, notably Uganda, Burundi and Nigeria, have indicated the availability of troops for deployment with AMISOM, but have been unable to take action in this regard owing to the lack of the necessary facilities.

25. As a follow-up to resolution 1863 (2009), a United Nations multidisciplinary assessment mission travelled to the region to assess the logistical, security and other operational conditions in Somalia, as well as the current support capacity of the African Union forces. The mission further developed proposals for international support for Somalia. It travelled to Addis Ababa for consultations with senior officials of the African Union and the Government of Ethiopia.

26. The African Union will continue to work closely with the Secretariat's planners team in Addis Ababa for force generation and logistical, administrative, financial and other arrangements that are necessary for the continued deployment of AMISOM and its transition to a United Nations peacekeeping operation.

IV. Findings of the technical assessment mission

27. In its resolution 1863 (2009), the Security Council approved the next steps on the security track in Somalia, which were set out in my letter of 19 December 2008 (S/2008/804). They consist of (a) a package to support AMISOM so that it can sustain its operations; (b) assistance in building the security and rule-of-law institutions of Somalia, in particular the joint security and police forces established under the Djibouti process; (c) the enhancement of the capacity of UNPOS to enable it effectively to support the peace process; and (d) the further development of contingency planning for a United Nations peacekeeping operation, including the definition of conditions that would allow such a deployment to succeed. In its resolution 1863 (2009), the Council also requested me to report by 30 January on the details of the proposed logistics support package for AMISOM, as well as on the implementation of the plans contained in my letter of 19 December regarding support to the Somali security and rule-of-law institutions, and to provide, by 15 April, a report on a possible United Nations peacekeeping operation in Somalia, including recommendations on its mandate and tasks.

28. With a view to developing detailed plans for all of those requests, the Secretariat dispatched a technical assessment mission, led jointly by the Department of Peacekeeping Operations and UNPOS, to Addis Ababa and Nairobi to hold consultations among the African Union, UNPOS and the United Nations country team, the Joint Security Committee, major donors and other relevant actors. The findings of the mission in the areas identified by the Council are set out below.

29. Owing to security considerations, it was not possible for the technical assessment mission to visit Mogadishu. However, members of the Joint Security Committee who had travelled from Somalia, as well as the AMISOM Force Commander and senior Ethiopian military officials, shared with the Mission their assessment of the security and political situation on the ground. The Secretariat will make a renewed attempt to dispatch a small assessment team to Mogadishu before I report to the Council in April, as requested in paragraph 5 of resolution 1863 (2009).

A. Support to the African Union Mission in Somalia

30. The technical assessment mission held extensive consultations with the Commissioner for Peace and Security of the African Union, his senior staff, the Special Representative of the African Union for Somalia and the AMISOM Force Commander, as well as with donors and other stakeholders. The mission's recommendations with respect to the needs of AMISOM and proposed support mechanisms were set out in detail in my letter of 30 January to the President of the Security Council (S/2009/60). That letter described the proposed logistics package, to be funded from assessed contributions, and identified needs that should be met through voluntary contributions to the trust fund established by the Council. It also highlighted military requirements that will need to be met through bilateral assistance from Member States.

31. In order to manage the package of assistance to AMISOM, the technical assessment mission recommended the establishment of a dedicated and independent field support headquarters, which would be located in Nairobi but would, as soon as security conditions permit, deploy elements in Mogadishu to act as an interface with the AMISOM headquarters and ensure delivery of support, including that provided by commercial contractors. A small liaison element would be located in Addis Ababa together with existing United Nations structures for support to the African Union. This structure would facilitate planning for the transition from AMISOM to a United Nations peacekeeping operation at the appropriate time. As requested in resolution 1863 (2009), United Nations planners co-located with the African Union will remain in place, although the team should be streamlined to avoid duplication of functions.

B. Assistance in building the Somali security and rule-of-law institutions

32. The transitional security arrangements established by the Somali parties under the Djibouti process comprise three key institutions: the Joint Security Committee, the Joint Security Force and the Somali Police Force. The role of the institutions is to deliver on the aims of the Djibouti agreement, including promoting a peaceful environment and facilitating protection of civilians and delivery of humanitarian assistance. The technical assessment mission stressed that international assistance to the Joint Security Committee, the Joint Security Force and the Somali Police Force should be focused on contributing to those goals and proceed on the basis of an adequate political framework, accountability in the area of human rights, inclusive recruitment and sustainable funding. In addition, the building of those institutions should lay the foundation for a long-term, nationally owned security sector

architecture and strategy. Efforts should be made to ensure that there are civilian oversight mechanisms and capacity in the justice and prisons systems.

33. The technical assessment mission recommendations are aimed at enhancing the capacity of UNPOS to support the Djibouti process, coordinate with the United Nations Development Programme (UNDP) and assist in the development of the security sector, human rights, justice and corrections, disarmament, demobilization and reintegration and mine action. They also reflect the assistance required from bilateral partners in developing the transitional security institutions of Somalia. Across the sector, the mission recognized that significant activity had already been carried out by UNDP through its Rule of Law and Security Programme and that additional activity should complement existing projects and avoid duplication.

34. The recommendations should form the basis for the enhancement of UNPOS and an appeal to donors for the trust fund envisaged in resolution 1863 (2009).

35. It should be noted that the full implementation of the actions recommended by the technical assessment mission would require international staff to be deployed in Somalia in greater numbers, which is not permissible in the present security environment. Security improvements, progress in the peace process and a reduction in the risk to United Nations staff are preconditions for a gradual expansion of activities and access by United Nations staff to Mogadishu; conversely, the continuation or deterioration of current security conditions would require the re-evaluation and possible suspension of some envisaged programmes, although other critical elements could be implemented remotely, especially in the area of human rights.

Security sector reform

36. The development of a framework of governance for the security sector is a key objective for the promotion of stability in Somalia. While insecurity and lack of local capacity make full-scale security sector engagement problematic, the United Nations should be prepared from the outset to provide advice and assistance to the Somali parties on issues relating to security sector reform, including accountability, legal frameworks and oversight, and to plan for a national security sector assessment when conditions permit, in support of local authorities. The technical assessment mission therefore recommended the immediate deployment to UNPOS of an adviser in the area of security sector reform to provide strategic advice to the Special Representative of the Secretary-General and senior staff, as well as to the Joint Security Committee and other relevant Somali counterparts.

Joint Security Committee and Joint Security Force

37. The most immediate priority set out by the technical assessment mission was the need to identify resources to support the operations of the Joint Security Committee and to sustain existing Transitional Federal Government and ARS forces in Mogadishu, which are securing locations vacated by Ethiopian forces. As a stopgap measure, AMISOM has stepped in to provide food, water and fuel, to be funded by bilateral partners. All interlocutors advised the mission that such a measure would be essential to prevent desertion and the disintegration of the forces.

38. The technical assessment mission recommended that assistance focus on three priorities. First, there should be basic funding and logistical support to enable the

Joint Security Committee to remain cohesive and function effectively in Mogadishu. In parallel, the United Nations should provide advice to enable the Committee to manage the Transitional Federal Government and ARS forces under its control, including in the areas of conducting registration, payment, recruitment/vetting and the formal integration of Transitional Federal Government and ARS forces into the 5,000-strong Joint Security Force provided for under the Djibouti process.

39. Secondly, the basic sustainment of existing Transitional Federal Government and ARS forces will remain essential in the short term until the Joint Security Force is established and functioning. Some donors have indicated a willingness to continue to channel support through AMISOM. However, the payment of stipends is a critical outstanding issue. Donors have requested the United Nations to assist in putting in place a mechanism that would ensure the transparent use of funds by the African Union in this regard. The technical assessment mission recommended that that be delivered through a consultancy.

40. Thirdly, following the establishment of the Joint Security Force, UNPOS will facilitate discussions between the Joint Security Committee and bilateral partners aimed at identifying international partners able to assist the Somali parties in training and assisting the Joint Security Force, along the lines of the assistance provided in Sierra Leone and Liberia. Various models are possible, ranging from those involving training delivered entirely by a bilateral donor to those heavily reliant on delivery by AMISOM forces, with funding and equipment provided by donors. Pursuant to resolution 1863 (2009), a United Nations trust fund mechanism will be established, managed by UNPOS, to channel donor assistance to that process.

Somali Police Force

41. The Joint Security Committee, during its November 2008 workshop, held in Naivasha, Kenya, and facilitated by UNDP, decided to develop a 10,000-strong civilian police force under Somali law and up to international standards. At present, the internationally supported Somali Police Force consists of 2,770 police officers of the Transitional Federal Government trained under the UNDP Rule of Law and Security Programme. However, the police are badly in need of more equipment and basic infrastructure. The officers did not receive stipend payments during 2008; payments have now resumed on a retroactive basis, however. UNDP, in close cooperation with the African Union police contingent, has also restarted the training of trainers and is in the process of selecting 2,000 additional recruits for training within the next three months in Somalia, subject to confirmation of funding availability for stipend payment. The African Union police are assisting with monitoring, mentoring and advising trained officers who are still in service.

42. In the short term, the Somali Police Force needs advice, ongoing training and logistical support through a trust fund. An immediate challenge is to put in place mechanisms for civilian governance and accountability. Financial and administrative management will also be a priority. In the medium term, infrastructure and specialized police training will be essential; in the longer term, a full police reform and restructuring programme should be implemented in line with the national security sector strategy of Somalia.

43. The technical assessment mission stressed the need for the coordination of assistance among international actors, including UNDP, the Department of

Peacekeeping Operations, the African Union and bilateral donors. In this regard, the mission recommended that the UNDP training programme should provide a basis for continued support to the Somali Police Force. Under a clear division of labour, UNDP will train an additional 4,000 officers in 2009, while AMISOM police will help the Joint Security Committee to register, advise and mentor trained police officers and develop plans for reform and restructuring. The African Union plans to deploy 270 police advisers and mentors to AMISOM for that purpose. Additional United Nations police advisers assigned to UNPOS, initially from the standing police capacity, will support AMISOM and provide advice to the Joint Security Committee. United Nations and African Union police experts will also support the conduct by the Joint Security Committee and the Somali Police Force of medium-term training-needs analysis.

Human rights

44. The technical assessment mission noted that the human rights situation in Somalia has been among the most neglected in the world, taking into consideration the extent of the atrocities that have been committed over the years. Human rights must remain a core issue on the agenda of the Djibouti peace process, as well as for the transitional institutions.

45. Within Somalia, the United Nations human rights presence currently consists of two Somali UNDP human rights advisers, deployed in Garowe ("Puntland") and Hargeisa ("Somaliland"), whose role is to ensure the incorporation of human rights into UNDP programmes. UNPOS has a small Human Rights Unit currently deployed at its headquarters in Nairobi. The technical assessment mission recommended that that capacity be enhanced by the addition of three posts, with a focus on incorporating a human rights perspective into transitional security institutions and continuing the development of justice/accountability mechanisms in the context of the Djibouti process, including through civil society awareness-raising and the justice working group established in November 2008.

Justice and corrections

46. The recent worsening of the security and human rights situation in south-central Somalia has posed significant challenges in terms of international assistance to the Somali justice sector, as international staff have been evacuated from the area. Following the killing of several judges during 2008, the formal, secular justice system in Somalia has virtually broken down, although there are some reports of hearings held in Mogadishu and Baidoa. In 2008, UNDP provided assistance for judicial training, oversight and logistical support, and despite the current security situation, continues to support local legal providers in Baidoa and Mogadishu, as well as the law faculties of the two universities in Mogadishu. In conjunction with UNDP, UNPOS has initiated contacts with Somali judicial authorities on human rights standards. However, plans to rehabilitate court infrastructure have been suspended for security reasons. Given the increasing importance of justice institutions and capacity in advancing the peace process, the technical assessment mission recommended deploying one judicial affairs adviser to UNPOS to provide technical advice to the Special Representative of the Secretary-General and to develop plans for future programme activity, in close coordination with UNDP.

47. With regard to the corrections system, years of conflict and mismanagement, combined with very poor infrastructure, have resulted in deplorable prison conditions in Somalia. Prisons generally lack basic medical facilities and equipment, as well as water and sanitation, and fail to meet the minimum standards required under the Standard Minimum Rules for the Treatment of Prisoners of 1955. There is a risk of a deepening human rights crisis within the prison system, although the mission also noted the willingness of the Somali parties to accept international support, especially in the areas of the training of national prisons staff and the improvement of prison infrastructure, including prison security. The mission recommended the deployment of one corrections adviser to UNPOS to develop contacts with national actors, provide advice to the Special Representative of the Secretary-General and work to develop a joint cooperation framework with UNDP, which has conducted prison assessments and facilitated the reconstruction of some prisons in south-central Somalia, Hargeisa ("Somaliland") and Gardo ("Puntland").

Disarmament, demobilization and reintegration

48. The implementation of sustainable programmes to disarm, demobilize and reintegrate the various armed groups in Somalia and to control weapons in the hands of civilians are essential for the establishment of a lasting peace. The planning and establishment of a disarmament, demobilization and reintegration programme in Somalia will require considerable assistance from the international community; synchronization with the development of the Joint Security Force; and a variety of approaches, including both traditional disarmament, demobilization and reintegration and less traditional community security and weapons-control programmes that take into account the complex situation in the country and lessons learned from previous United Nations efforts, in line with the integrated disarmament, demobilization and reintegration standards. UNDP has initiated the planning of disarmament, demobilization and reintegration requirements for south-central Somalia with all the relevant partners. The Programme also supported the reintegration of approximately 1,800 former security forces in "Somaliland" and "Puntland" and some 500 freelance militia members in Mogadishu. Disarmament, demobilization and reintegration implementation and programming in south-central Somalia has since been suspended for security reasons. In line with resolution 1863 (2009), the technical assessment mission recommended that the immediate priority for UNPOS should be to build the capacity of the Joint Security Committee in the area of disarmament, demobilization and reintegration, support the establishment of implementation bodies and facilitate early planning and public information, in coordination with UNDP.

Mine action

49. Mine action activities in southern and central Somalia, led by UNDP, have enjoyed relative success and acceptance from various parties on opposing sides. However, owing to the security situation, UNDP suspended activities in south-central Somalia late in 2008. UNDP is in the process of jointly implementing the mine action programme with the United Nations Mine Action Service, with a division of responsibility, under which the Mine Action Service will conduct mine action in south-central Somalia and UNDP will conduct mine action in "Puntland" and "Somaliland". The Mine Action Service has assumed management of the mine action programme in south-central Somalia as from 6 February 2009, with a planned

transition period until 31 March. The programme will continue operating through the United Nations Office for Project Services from existing offices in Baidoa or an alternative location in the area, as security permits. UNDP activities in "Somaliland" and "Puntland" are currently ongoing.

C. Peacebuilding in "Somaliland" and "Puntland"

50. The technical assessment mission noted the ongoing significant activities of the United Nations country team in "Somaliland" and "Puntland" in the framework of the United Nations transition plan 2009/10. They include human rights monitoring and capacity-building; the training of prison officers and the construction of two model prisons; advanced work to train and develop the police; and capacity-building for ministries of the interior. While the focus of the Security Council is currently on developments in south-central Somalia, the mission noted the need to assist in consolidating the relative stability that the people of "Somaliland" and "Puntland" have shown a remarkable determination to preserve and sustain. To that end, the mission recommended that the United Nations Peacebuilding Support Office consider using resources from the Peacebuilding Fund to expand the peace consolidation activities of the United Nations country team.

D. Maritime task force

51. In my letter of 19 December 2008, I indicated that one possibility for support to AMISOM and the peace process in Somalia would be a maritime task force, including a component that would have the capability of undertaking missions to Mogadishu. The force would be constituted in order to perform the following tasks: support AMISOM in extremis; support peace process activities by UNPOS; liaise with the Joint Security Force when established; assess the security situation; and gauge the acceptability of a land-based stabilization force. It would allow for the initial sea-basing of elements that could eventually be deployed as a land-based stabilization force and a follow-on United Nations peacekeeping operation.

52. After discussion with AMISOM, the technical assessment mission noted that if AMISOM capabilities are reinforced and improved as planned, there will be no need for a sea-basing capability. However, should the security situation deteriorate, the Council may wish to revisit the option. Meanwhile, there is an urgent need for AMISOM to be enhanced with maritime coastal capacity for the protection of transport and supply lines, as noted in my letter to the Council of 30 January 2009.

E. Contingency planning for a United Nations peacekeeping operation

53. With regard to the request by the Security Council for a report by 15 April on the possibility of establishing a United Nations peacekeeping operation, the technical assessment mission noted the need for basic conditions to be in place that would allow a peacekeeping operation to operate effectively. Important benchmarks would be (a) the formation of a Government of national unity in Somalia, inclusive beyond those represented in the Djibouti process; (b) the establishment and initial operation of the Joint Security Force in Mogadishu; (c) the implementation of a

credible ceasefire; (d) the lifting of illegal checkpoints; (e) active outreach by the parties to groups that remain outside the Djibouti process; (f) consent to the deployment by all the major parties; and (g) adequate pledges of troops and the required military capacities by Member States.

54. Paragraphs 55 to 68 below provide updated information on contingency planning for a peacekeeping operation that could be deployed in the event that the basic conditions for effective operation are in place, if so determined by the Security Council.

Military component

55. Under the contingency plan developed to date, the military component of the mission would be expected to contribute to the creation of a secure environment in support of the peace process and the restoration of State institutions throughout the country. Key military tasks would include the provision of support to the Joint Security Committee in monitoring the ceasefire and implementing the security arrangements established under the Djibouti agreement; the protection of United Nations personnel and assets; and support for a range of peacebuilding tasks, including disarmament, demobilization and reintegration, weapons control and elections. The end result would be the establishment of an inclusive, effective Administration throughout the country, with federal security institutions capable of assuming the minimum level of responsibility for the security of Somalia so as to allow for the phased withdrawal of the United Nations military component.

56. Military tasks related to support for humanitarian, reconstruction and development activities, including the securing of aid, the return of refugees and internally displaced persons and the protection of civilians, require further review. Humanitarian actors in Somalia have advised that, depending on the security conditions, involving peacekeepers in securing the delivery of humanitarian assistance could compromise humanitarian space and that a mandate for physical intervention to protect civilians could limit the ability of the force to be seen as impartial. Recommendations on those issues in the light of political and security developments will be covered in my April report.

57. The Department of Peacekeeping Operations estimates that, subject to the fine-tuning of specific tasks through the integrated mission planning process and an assessment on the ground, some 22,500 troops would be needed to operate in five brigade-sized sectors throughout southern and central Somalia. The starting point would be Mogadishu, where the force headquarters and two brigades would be deployed, comprising a composite brigade with one mechanized, one infantry and one marine battalion to secure the seaports and airports and provide key point protection; and a homogeneous brigade, consisting of three infantry battalions and three mechanized companies, as a rapid reaction force. An additional mechanized battalion would act as the theatre reserve. Four sectors will be supported by an aviation element comprising utility and attack helicopters. All five sectors would require combat and construction engineers.

58. A maritime component would be required, including logistics ships, a landing ship, inshore patrol boats and frigates to protect United Nations resupply and humanitarian aid shipping. Medical support would be provided by a level-II hospital per sector, with a level-III hospital in Mogadishu, and aeromedical evacuation capacity. Initially, all logistical support units would be military, transitioning to

civilian contracted positions as staff members were recruited and the local infrastructure rebuilt. Other support units would include military police; guard companies for each sector headquarters; well-drilling units; and explosive ordnance disposal and signals units.

Logistics

59. The initial support concept would be heavily dependent on use of military enablers. Initially, contracts put in place to support AMISOM would be expanded to provide support to the peacekeeping operation. Extensive use would be made of strategic maritime transportation to Somali ports, with forward distribution to sector administrative areas by military transportation and aviation assets. A support base is likely to be required outside Somalia in order to reduce the United Nations civilian footprint and to provide a secure staging area for supplies and equipment for the area of operations. Guaranteed and responsive protection from a maritime task force for commercial ships carrying United Nations supplies and equipment into Somali ports will be essential. All incoming troop- and police-contributing countries must be self-sustaining, with high-quality and robust contingent equipment. Ahead of the deployment, the United Nations Environment Programme should be requested to undertake an environmental impact assessment.

Police component

60. The peacekeeping operation would include a civilian police component, deployed on the basis of a secure environment provided by United Nations forces. The tasks of the police component would include mentoring, monitoring, advising and training the Somali Police Force in policing and law enforcement, complementing UNDP activity; advising and assisting Somali institutions on community policing, investigations, police reform, restructuring and rebuilding; and facilitating the provision of equipment and infrastructure. Subject to assessment on the ground, it is estimated that the United Nations police component would comprise as many as 1,500 individual police officers and 8 formed police units (140 personnel each), which would provide protection for United Nations personnel and equipment and perform joint patrols with the Somali Police Force.

Civilian component

61. The peacekeeping mission would include an appropriate civilian component, which could incorporate all the functions normally carried out by a multidimensional peacekeeping operation, subject to the needs of the peace process and with a view to complementing the existing activities of the United Nations country team. The precise tasks and functions of the civilian component and scope of operations would be dependent on the evolution of the peace process, as well as interaction with relevant national counterparts in Somalia. Accordingly, these will be identified and further developed through the integrated mission planning process and reflected in my April report.

Transition concept

62. It is envisaged that, subject to the basic conditions being met, and if so mandated by the Security Council, the United Nations peacekeeping operation would take over from AMISOM on the ground and would re-hat AMISOM

components. My April report will provide a detailed assessment and recommendations on whether the relevant conditions are in place at that time.

63. To develop the transition plan, the United Nations Force Commander and key planning staff for a mission headquarters would be recruited early so that they could participate in finalizing planning prior to their deployment to the field. United Nations start-up force elements will deploy to Mogadishu to work with AMISOM to effect the transfer of authority.

64. AMISOM forces that are United Nations-compliant could be re-hatted at the time of the transfer of authority. New military contingents would be deployed to replace or allow for the rotation of any non-United Nations-compliant AMISOM forces. Command would be transferred from an African Union to a United Nations operation when the United Nations mission headquarters reaches initial operating capability. During that initial phase, a standing police capacity team will deploy to the mission to, inter alia, coordinate the handover from the African Union police and prepare the ground for the deployment of the United Nations police. Police officers assigned to UNPOS will be absorbed.

65. The present security and humanitarian situation suggests that initial deployment should be to Sector 5 (Banadir district/Mogadishu) and Sector 4 (Shabelle districts), which includes the port of Merka and has a large population of internally displaced persons, followed by Sector 1 (Galgaduud and Mudug districts), which is the location of the larger camps for internally displaced persons, Sector 2 (Hiraan, Bay and Bakool districts), which is less secure and, finally, Sector 3 (Gedo and the two Juba districts), including Kismayo. The deployment sequence may change, depending on the security situation at the time and the availability of troops.

Ongoing planning and alternative options

66. The Secretariat will continuously update the deployment plans to take account of the developing situation on the ground and the needs of the political process. The concept of operations eventually decided upon and the final number of peacekeepers required will depend on those developments. Should the security situation improve, fewer robust capabilities and force protection elements would be required. In addition, the number of sectors would have to be adjusted according to the area of operations. For example, an additional sector could be created to cover "Puntland" if appropriate in the light of political developments.

67. Conversely, if the current security conditions do not improve but the Security Council nevertheless decides to deploy a United Nations peacekeeping operation, it will be necessary to establish a force with the more robust capabilities typical of a multinational force in order to carry out the mandate and protect itself. Such a United Nations force would require the military capabilities envisaged for the multinational stabilization force outlined in my report of 17 November 2008. In the event of a serious deterioration in the situation, the Council might choose to revisit other options, including that of a maritime task force.

68. In this regard, I note the views expressed by several Council members that no decision has yet been taken to deploy a United Nations peacekeeping operation and that such a decision will be made in the light of all the circumstances. Pending a decision by the Council, the Secretariat will continue to plan for all options. I will provide further recommendations, as appropriate, in my April report.

V. Activities of the United Nations and the international community

69. The International Contact Group on Somalia, under the chairmanship of my Special Representative, met in New York on 16 December. In the communiqué issued at the end of the meeting, the Contact Group, inter alia, expressed its serious concern at the continuing dispute between the leaders of the transitional federal institutions, and called on them to work together in the interests of peace and stability. The Group welcomed the declaration of 26 October on the formation of a unity Government and expanded Parliament, as well as the ceasefire agreement and the agreement of 24 November establishing a verification and monitoring mechanism for the ceasefire. It expressed appreciation for the important work of AMISOM and urged the international community to recognize the need to provide resources and material support to it. The Group further called on all parties to allow free and unhindered access for much-needed humanitarian aid; condemned piracy and stressed the need for a comprehensive approach to its underlying causes; and expressed deep concern about the human rights situation, while calling for an end to the continuing culture of impunity.

70. Since my previous report, the United Nations country team has reprioritized the transition plan as part of its effort to support and scale up recovery and development where feasible and complement ongoing humanitarian activities. The exercise concentrated on prioritizing activities in "Somaliland" and "Puntland" related to life-saving activities — those that contribute to the delivery of essential services or support for the preservation or enhancement of livelihoods, allow for security and institutional stability or address the issues of HIV/AIDS, gender and human rights in emergency-affected populations. It should be noted that by the end of December, approximately $147.8 million had been mobilized for recovery and development activities across Somalia, representing 76 per cent of the amount required to meet the transition plan targets for 2008.

VI. Humanitarian situation

71. The latest food security assessment, carried out during December 2008 and January 2009 by the Food Security Analysis Unit of the Food and Agriculture Organization of the United Nations, confirmed that more than 3 million people in Somalia will continue to be in need of humanitarian assistance.

72. The central regions of Mudug and Galgaduud are the worst-affected areas, owing to the continued and worsening drought. The situation in those regions has been exacerbated by recent conflicts that have resulted in massive displacement, completely disrupted economic activities and limited access for humanitarian response efforts.

73. Nutrition assessments conducted in November and December 2008 confirm that rates of acute malnutrition in many parts of the country remain above emergency thresholds. The worst-affected areas continue to be the central, Gedo and Bakool regions, with a new area of concern along the coast of "Somaliland". Internally displaced persons in Bossaso and Gaalkacyo continue to show high rates of acute malnutrition. However, some improvements in nutritional status have been recorded in the south, notably in the Shabelle regions, linked to a combination of

factors, including the large-scale humanitarian efforts, which must continue to be strengthened to prevent further deterioration. A near-normal *deyr* (rainy season) and decreasing prices for both imported and local food have led to the slight improvement. However, the cost of basic food and non-food items is still beyond the reach of many of the poor and most vulnerable urban populations.

74. Security constraints continued to hamper humanitarian operations across much of Somalia during the reporting period. A total of 34 aid workers were killed in Somalia in 2008; 26 were abducted, of whom 13 were still in captivity as at the end of January 2009.

75. During the first week of January, two WFP staff members were brutally murdered in southern Somalia while monitoring the distribution of food aid. Thereafter, the Programme made a decision to continue operations until all the food aid in south-central Somalia (57,000 tons) had been distributed, demanding a written guarantee of a secure operating environment from all regions in south-central Somalia. Without such a guarantee, operations in that particular area would cease, which would have a significant impact, given that in 2008 WFP shipped nearly 260,000 tons of food to Somalia — almost four times the 2007 amount — reaching more than 1.5 million Somalis with food aid every month.

76. It is anticipated that internally displaced persons will return to Mogadishu in the coming months, albeit in small numbers. During January 2009, more than 16,000 internally displaced persons returned to the city. Daily prepared-food assistance continues for 80,000 at-risk beneficiaries.

77. Despite the returns, the security situation in the city remains extremely volatile. During the last week of January, some 10,000 civilians fled Dharkenley and Wadajir districts in north-eastern Mogadishu to escape advancing Islamist militias. Most of those displaced have moved to other neighbourhoods within Mogadishu or to the outskirts of the city. Thousands of the city's residents who remain in sites for internally displaced persons outside Mogadishu are reluctant or afraid to return to their homes, deterred by the lack of water, sanitation and health services and the threat of renewed fighting in Mogadishu. Some have seen their houses destroyed or pillaged and are wary of the dangers of the landmines and unexploded ordnance littering the capital. Others are victims of previous conflicts, uprooted from settlements for internally displaced persons within Mogadishu, and have no homes to which to return.

78. Given the general lack of security and limited assistance in Mogadishu, a mass return is not expected. Consequently, humanitarian agencies will continue with their current level of assistance, particularly in the Afgooye corridor and in the central regions.

79. Support to the 580,000 internally displaced persons in the Mogadishu-Afgooye corridor continued during the last quarter of 2008. WFP provided monthly food rations targeting 400,000 people. The United Nations Children's Fund (UNICEF) and partners provided 180,000 internally displaced persons and their host communities with safe water, which was trucked in on a daily basis; improved sanitation conditions; and promoted hygiene. UNICEF is also supporting the establishment of permanent water systems to replace the trucking operation, which is not sustainable.

80. Through local and international non-governmental organizations, UNICEF continued to provide emergency education to displaced children living in settlements along the Afgooye corridor and on the outskirts of Mogadishu. In those areas, more than 7,000 new internally displaced students, 3,400 of them girls, gained access to education as a result of the provision of 43 additional classrooms (traditional construction and tented). Overall, approximately 14,000 new internally displaced students were enrolled in emergency schools in Afgooye and Mogadishu in 2008, representing a 200 per cent increase in enrolment from 2007.

81. The 2008 humanitarian appeal for Somalia was 71 per cent funded as of January 2009. By the end of 2008, the Humanitarian Response Fund had allocated more than $14 million to 51 projects, of which 62 per cent were implemented by local Somali non-governmental organizations, either directly or in partnership with international organizations. Some $11.7 million from the Central Emergency Response Fund was allocated to Somalia in 2008 to provide urgent life-saving interventions in the areas of water, sanitation, nutrition, health, logistics and livelihood support for internally displaced persons and impoverished populations.

82. The 2009 consolidated appeal for Somalia, which was launched in December 2008, seeks to provide urgent assistance and protection to some 3.2 million people, including the more than 1 million people displaced from Mogadishu and other areas in south-central Somalia. The increase in the scope and funding size of the Somalia appeal from $662 million in 2008 to $918 million in 2009 reflects not only the drastic increase in the number of people in need, but also the sharp rise in commodity and delivery costs for Somalia.

VII. Human rights and protection of civilians

83. I am still concerned about the fact that, despite the political progress that is being made, targeted killings of persons linked to the Transitional Federal Government, the Islamic Courts Union, the United Nations and civil society organizations have continued. I therefore appeal to the authorities to ensure respect for human rights when setting up an integrated transitional force and an expanded police force, including to taking measures for the protection of civilians, as well as holding accountable the perpetrators of abuse.

84. Since November 2008, UNPOS has received reports of 10 targeted killings, including that of the Deputy Minister for Reconciliation, a member of the National Reconciliation Commission and one civil society activist. All parties to the conflict continue to violate freedom of expression. On 1 January, a journalist was shot at point-blank range on the outskirts of Mogadishu, allegedly by a militia with links to senior officials in the Transitional Federal Government. The director of Radio HornAfrik was also shot dead on 3 February on his way to a press conference called by Al-Shabaab. Media outlets were shut down in Kismayo in December 2008. Journalists continue to face intimidation, arbitrary arrest, detention and sentencing without due process.

85. In the two months following the announcement by Ethiopia of the withdrawal of its forces from Somalia, reports of civilians killed in crossfire or during indiscriminate attacks increased sharply. Civilians alleged to have links with the Ethiopian forces, including translators and women selling food to soldiers, were killed in seven incidents. In one incident in 2009, a car bomb targeting AMISOM

killed some 20 individuals, including women and children. AMISOM denied accusations that it had killed 5 civilians when it returned fire in retaliation. At least 13 individuals, believed to be mostly civilians, were killed on 2 February when another bomb targeting AMISOM exploded and there was an ensuing gunfight. AMISOM has established a board of inquiry to investigate whether its troops used excessive force, as alleged in some reports.

86. Most of the violations and abuses were committed with impunity. My Special Representative has repeatedly highlighted the need to end impunity for past and ongoing abuses. In November, UNPOS, with the support of the Office of the United Nations High Commissioner for Human Rights, organized a two-day workshop on justice and reconciliation for the High-level Committee. It culminated in an agreement to set up a joint working group to examine the possibility of setting up a commission of inquiry, special tribunal or other mechanism. Although the working group has yet to start work, the agreement marked an important step in beginning consultations on this critical issue.

87. Despite the extremely difficult security situation on the ground, human rights defenders in Somalia continued to conduct activities for the promotion and protection of human rights. Several organizations conducted events for the commemoration of the sixtieth anniversary of the Universal Declaration of Human Rights. Two non-governmental women's rights organizations, Save Somali Women and Children and IIDA, received human rights awards in Sweden and France, respectively.

88. The monitoring of violations of children's rights has been difficult within Somalia, in particular the monitoring and reporting of the recruitment and use of children in armed conflict. Monitors have been concerned that the reporting of recruitment activities might endanger their safety following death threats issued in July and August 2008. As of December, 10 boys were known to have been recruited and used in armed conflict or policing activities. Three of the boys were provided with assistance, enabling them to leave their duties, and three died; in two instances, child recruitment was denounced publicly, and in one instance, the child involved was given psychosocial support. In the period from October to December 2008, 55 reports were compiled of children killed in the conflict, mostly as a result of crossfire and indiscriminate fire; 59 children were maimed. In the same period, 40 girls were reported to have been raped, 18 of whom accessed medical assistance from medical centres or birthing assistants and 10 of whom accessed psychosocial support; 17 cases were referred to the police and/or the traditional legal system. Not all of the cases of rape referred to legal systems have had a satisfactory outcome. One young girl who was raped was accused of adultery and stoned to death in front of a crowd of people, and other girls have been forced to marry the perpetrators. During the period, partners working in the area of child protection, in particular in the Afgooye corridor and Kismayo, have experienced hostility from militias. All of those violations of human rights and international humanitarian law were committed with total impunity.

89. From 22 November to 2 December, the independent expert on the situation of human rights in Somalia undertook his second field visit to the Horn of Africa subregion and Yemen with a view to updating the Human Rights Council at its tenth session on new developments relating to Somalia. However, owing to security constraints, he was not able to visit Somalia and instead focused on neighbouring

countries, including Kenya, Djibouti and Yemen, where he talked to newly arrived Somali refugees. The findings of the report will be shared with the Human Rights Council on 25 March 2009.

90. Despite its small size, the UNPOS Human Rights Unit has a strong monitoring and protection mandate, in accordance with Security Council resolution 1814 (2008), by which the Secretary-General is required to establish effective capacity within UNPOS to monitor and enhance the protection of human rights in Somalia. The need for all forces and parties to respect human rights and international humanitarian law, as well as to protect civilians, was reiterated in resolution 1863 (2009). The Human Rights Unit has conducted several missions to various parts of Somalia and is also providing technical support to the Joint Security Committee and the High-level Committee established by the Djibouti agreement, which is chaired by the United Nations. The main task of the High-level Committee is to address challenges related to political, justice and reconciliation issues and the convening of a conference on those issues.

VIII. Operational activities to support peace

Institution-building

91. The United Nations continued to provide support to Somalia for institutional development and capacity-building. The provision of such support has been consolidated into the Somali institutional development project, a single, comprehensive framework, which was launched in January 2009. It focuses on four areas of support: policy and law-making processes; budget-making and public finance management; human resource development; and infrastructure support.

92. Under the start-up package project, which is designed to provide critical operational means to the transitional federal institutions to enable them to perform key functions, undertake priority interventions and carry out their mandate according to the provisions of the Transitional Federal Charter, the United Nations continued with the rehabilitation of the two Government buildings in Mogadishu, the Prime Minister's Office and the Police Academy. It also supported the internal and international travel of key Government officials. During the reporting period, the project was not able to ensure stipend payments to counterparts, which is one of the key support components, because of restrictions from some of the main project donors. The funds from the Governments of Norway and Sweden were, however, used to clear stipend arrears from the previous months.

93. The United Nations continued to support the constitutional process with its national and international partners. A series of capacity-building workshops were organized for the Independent Federal Constitutional Commission. During the workshops, the Constitutions of 1960 and 1990 were reviewed and compared in the context of the 2004 Transitional Federal Charter with a view to laying the groundwork for the development of a road map outlining options which might be considered for inclusion in a new Constitution. A conference on the theme "Federalism and decentralization: options for Somalia" was held in Nairobi from 27 to 29 November 2008. It brought together nearly 200 Somalis, including experts on international and national issues, diaspora and politicians, including members of the opposition, for a broad-based discussion on the future of Somalia. The key participants in the conference included the former Prime Minister, Nur Hassan

Hussein, and the Chairman of the Central Committee of ARS, Sharif Hassan Sheikh Adan. The conference produced key recommendations on the way forward. The United Nations also assisted the Ministry of Constitutional and Federal Affairs in drafting the bill establishing the Somali Electoral Commission and the State Boundary and Demarcation Commission.

Local governance and decentralized service delivery for safe water, sanitation and hygiene education

94. Activities in the areas of local governance, basic services and assistance to internally displaced persons are increasingly implemented through United Nations joint programmes. The United Nations Human Settlements Programme, UNDP, UNICEF, the International Labour Organization and the United Nations Capital Development Fund are partners in the joint programme on local governance and decentralized service delivery, which started work in April 2008 and will coordinate relevant United Nations activities until 2012. The United Nations is making every effort to ensure that the very positive experiences of the Somali urban development programme, the numerous lessons learned and the partnerships built will be adopted and expanded under the Joint Programme for the benefit of the Somali people.

95. Work to expand the Bossaso water supply system, which serves an estimated population of 120,000, and to rehabilitate the Baidoa water supply system (to serve 40,000 people) was contracted out and initiated. Rehabilitation work for the Berbera water system was completed, facilitating enhanced access (a 30 per cent increase in supply) to drinking water for 12,000 inhabitants of the town. Work also began on the establishment of a sustainable management system, under a public-private partnership, for the Berbera water system, with a stakeholders' workshop being held in Berbera from 20 to 22 January. The establishment of a similar management structure for the Baidoa water system made good progress, with the establishment of a water board, the formation of a private water company (Warjana) and the floating of shares to the public.

96. In the Togdheer, Sanaag, Awdal, Hargeisa and Sahil regions, five water yards and four motorized shallow wells were rehabilitated. In total, they serve 33,000 people. Five shallow wells were equipped with solar motors and now provide adequate water services to an estimated 10,000 people. A total of 7,500 pupils in 30 schools in all regions of "Somaliland" benefited from the construction of latrines and hand-washing facilities. In all, 60 teachers and 60 community education committees were provided with public hygiene and sanitation training within the same schools.

Security and the rule of law

97. Following the enactment, in April 2008, of the "Somaliland" Justice Law No. 36/2007, some 104 children ranging from 15 to 18 years of age were released from eight prisons in "Somaliland" on 21 October. Many of the children had been imprisoned on charges of truancy and disobeying their parents. Upon their release, the children were provided with reintegration services, clothing, food allowances and transport back to their communities through the Justice for Children Project, a joint United Nations effort.

98. Technical and capacity-building support for the Joint Security Committee continued, including the development of a professional civilian-based police force

for Somalia and the implementation of the peace process provisions relating to the formation of a joint police force. Late in November 2008, the United Nations facilitated a Joint Security Committee workshop with high-level participation from the Transitional Federal Government and ARS. The aim was to equip the participants with a common understanding of the basic concepts, terminology and modalities relating to the cessation of armed conflict and commence planning for transitional security arrangements, among other tasks.

99. The United Nations also increased its support to ensure the further professionalization of the special police units in "Puntland" and "Somaliland".

100. Assistance in law enforcement continued to be matched with activities in support of the justice and correctional centres. Assistance agreements were renewed with the "Somaliland" Women's Association, legal aid clinics in Mogadishu, the Bar Association of "Somaliland", the law faculties of the University of Mogadishu, "Puntland" State University, the University of Hargeisa and the University of Amond and the police advisory committees in Mogadishu. Support to the ministries of justice continued in the form of infrastructure and training.

Basic services: health, including maternal and child health, child survival and education

101. Child Health Days, a community-based package of essential high-impact health services to be conducted nationwide every six months, aimed at reaching over 1.5 million children under the age of 5 and at least 1 million women of child-bearing age — whose implementation had been delayed owing to insecurity and limited capacity on the ground — was launched in "Somaliland" on 25 December. Preparations are under way to carry out the campaign in "Puntland" and south-central Somalia as early as February, if security conditions allow.

102. The intervention would provide assistance in the areas of child immunization against measles, diphtheria, whooping cough, tetanus and polio; vitamin A supplementation; nutritional assessments; de-worming; the distribution of oral rehydration salts and water purification tablets; the promotion of breastfeeding; and tetanus toxoid vaccination of girls and women aged 15 to 49.

103. During the reporting period, 370 head teachers from Bay, Bakool and Gedo regions received training on the Minimum Standards for Education in Emergencies, school management and administration, psychology and education information systems, benefiting over 70,000 children. The training was integrated with awareness-raising sessions in the areas of nutrition and HIV/AIDS. In addition, 272 head teachers were trained in Jamaame, Lower Juba, and 191 non-formal teachers were trained in Merka. In "Somaliland" and "Puntland", two-week training courses on pedagogy and management skills were provided for 200 non-formal education teachers and 260 formal teachers, benefiting 18,000 children and young people.

104. The United Nations supported the rehabilitation of eight Koranic schools in "Puntland" and "Somaliland", and it is improving the quality of teaching in those schools through teacher training, benefiting more than 900 students, including 380 girls. In addition, the eight Koranic schools were supplied with teaching and learning materials, including textbooks and school supplies.

Livelihoods and food security

105. The United Nations supported the "Puntland" Humanitarian Assistance and Disaster Management Agency in undertaking emergency preparedness and response training from 12 to 15 October for 30 Government officials and selected partners towards a better understanding of the importance of disaster/emergency preparedness and response planning for "Puntland". Participants were also trained on the Sphere Humanitarian Charter and Minimum Standards in Disaster Response and the UNICEF core commitments for children in emergencies. As a result, emergency preparedness response plan committees/task forces were established, membership determined and terms of reference developed for all levels (national, regional and district). Rapid assessment tools were reviewed and revised as needed, and "Puntland" disaster preparedness and response plans focusing on basic services were also drafted.

106. The United Nations has generated short-term employment for more than 21,000 workers in south-central Somalia over the past three months, equivalent to approximately 600,000 workdays. More than 35 per cent of the workers are women, and 25 per cent are internally displaced persons. Employment was generated through the labour-intensive rehabilitation and upgrading of basic, social and productive infrastructure, which, in turn, is diversifying the livelihood opportunities for communities. The interventions are being carried out through a partnership with local non-governmental organizations and community-based organizations, while local private firms ensure monitoring and oversight.

HIV/AIDS and sexual and gender-based violence

107. The Woman to Woman initiative on HIV/AIDS prevention for women and young girls is being implemented in eight regions in south-central Somalia. The main aims of the initiative are knowledge- and skills-building, stigma reduction and the provision of care, support and treatment to people living with HIV/AIDS, in particular vulnerable women and young girls. In the period from October to December 2008, an estimated 5,825 women and young girls were reached through 221 forums on HIV/AIDS awareness, with the aim of improving their knowledge and skills in the area of HIV/AIDS prevention. In addition, 242 households were visited and 1,967 family members have been reached and provided with basic information on the prevention of HIV/AIDS and family education, including hygiene and sanitation and mother and child health.

IX. Observations

108. I am encouraged by the determination of the people and leaders of Somalia to carry on with the reconciliation process. The expansion of Parliament and the subsequent peaceful election of Sheikh Sharif Sheikh Ahmed as the new interim President is clear testimony of the commitment of the parties to move forward with national reconciliation. While congratulating President Ahmed, I called on him to leave the door open to other groups which currently remain outside the Djibouti process.

109. I am pleased in this regard to note that President Ahmed has already stated his intention to reach out to those groups which are opposed to the Djibouti process. My Special Representative, regional leaders, Somali religious leaders and elders and the rest of the international community have similarly encouraged those groups to seize

the moment and join in the international effort in pursuit of bringing peace to Somalia. I therefore urge all the people of Somalia to embrace the spirit of forgiveness and compromise and put the past behind them for the sake of peace and reconciliation.

110. Admittedly, many challenges lie ahead of us. The simmering conflict between the forces of peace and those opposed to peace is just one example of those hurdles. The instability generated by the fighting, ongoing abductions and a general atmosphere of fear continue to impede the effective delivery of humanitarian assistance to the many people who need it. I therefore pay tribute to all the organizations and personnel involved in the delivery of humanitarian assistance in the country; they continue to discharge their responsibilities in an extremely dangerous and stressful environment. I wish to assure them that the international community is fully aware of the immense sacrifices they are making in an effort to better the lives of many suffering people in Somalia.

111. I am encouraged, in this regard, by the response of the international community in combating the scourge of piracy off the coast of Somalia. Although the problem of piracy will not go away without a comprehensive resolution of the country's political and security crisis, the current international effort has alleviated the scourge. The international community, however, must provide the necessary leadership and resources to help bring stability to Somalia. I appeal to the donor community for the immediate release of such resources to support current efforts by the parties to set up a Joint Security Force and effective Government machinery. This will help eliminate the continuing threat of piracy, which impedes the flow of humanitarian assistance to a substantial segment of the population in dire need.

112. I am deeply concerned about the human rights situation in Somalia, which continues to be precarious, especially in the context of the ongoing conflict. The dire human rights situation is having a negative impact on the lives of civilians, including children and other vulnerable groups. I again urge all parties to put a stop to acts of violence, including violations of human rights and international humanitarian law. I further welcome the agreement reached by the High-level Committee to set up a working group to look into the possibility of establishing a commission of inquiry in cases of impunity and the perpetration of abuse.

113. I also welcome the completion by Ethiopia of the withdrawal of its forces from Somalia, in fulfilment of the ceasefire agreement. The continued hostilities being perpetrated by anti-peace elements in the face of the Ethiopian withdrawal seem to show that such groups do not have a serious agenda, other than seeking to wreak havoc among innocent people. I would like, in this regard, to express my appreciation to AMISOM for the commitment with which its forces continue to operate in Somalia under very difficult conditions. I further wish to assure AMISOM that the sacrifices it is making are not in vain. I call on those States members of the African Union which have pledged troops to make arrangements for their deployment without further delay. At the same time, I call on the international community to provide resources, both in the short and long term, in support of AMISOM.

114. The proposed support to AMISOM and assistance in building the Somali security and rule-of-law institutions, together with the efforts of my Special Representative on the political front and the ongoing activities of the United Nations country team, all constitute key elements of a comprehensive United Nations strategy to address the crisis in Somalia. The main objectives of that strategic

approach are: (a) to enable AMISOM to sustain its operation, attain its authorized full strength of 8,000 troops and 270 police personnel and bring its contingents up to United Nations standards; (b) to give AMISOM and the Somali security institutions the capacity to create a minimum level of security that would enable the Djibouti peace process, and UNPOS, to relocate to Somalia; and (c) to create an environment that mitigates the challenges and risks facing the United Nations country team and other humanitarian actors currently operating in Mogadishu, and to promote respect for human rights.

115. This represents a new approach to supporting the evolving peace process. Delivery of this new strategy requires a strong partnership among the United Nations system, the African Union, Member States and the Somali parties. As requested by the Security Council in its resolution 1863 (2009), I intend to convene a donors' conference in the coming days to solicit contributions to the trust funds for AMISOM and the capacity-building of Somali institutions, and request Member States to contribute generously. I also encourage Member States to continue to support peacebuilding activities in "Somaliland" and "Puntland".

116. I envisage that, with the support of all partners, the steps outlined in my letter of 19 December 2008 (S/2008/804) would take Somalia to a stage where it could benefit from the deployment of a multidimensional United Nations peacekeeping operation that would take over from AMISOM, expand operations beyond Mogadishu and work together with other partners to build the Somali State. In this regard, it is important that all the conditions necessary for a peacekeeping operation to be effective be in place. At the same time, I note that the Council has not yet made a decision to deploy a peacekeeping operation, and that there remains uncertainty about whether peacekeeping is the right tool to support the political process in Somalia. As requested in resolution 1863 (2009), I intend to provide further advice and recommendations on the deployment of a peacekeeping operation by 15 April. In the interim, the Secretariat will continue to update and refine the contingency plan for a United Nations peacekeeping operation within the framework of the integrated mission planning process.

117. The efforts of the international community need to be fully complemented by the people of Somalia themselves. Ultimately, durable peace and stability is the primary responsibility of the parties and all other people of Somalia, whether they live within the borders or are currently in the diaspora. I am encouraged, therefore, by the commitment of the parties and some local leaders to the cause of national reconciliation. I urge the new Somali Administration to leave no stone unturned in putting together effective structures of government, fully establishing itself within Somalia to restore stability and moving forward to consolidate the gains it has achieved through the Djibouti process. The United Nations and the rest of the international community stand ready to assist the parties in their pursuit of national reconciliation.

118. Finally, I would like to express my deep appreciation to my Special Representative, Ahmedou Ould Abdallah, who continues to work tirelessly to advance the cause of peace and reconciliation among the people of Somalia. I also pay tribute to all personnel, both international and national staff, who are working under difficult conditions in the interests of peace. I call on the Somali people and Member States to continue rendering my Special Representative their unwavering support and cooperation.